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BUREAU OF LAND MANAGEMENT

MINUTES OF THE NATIONAL PUBLIC LANDS ADVISORY COUNCIL MEETING

March 23, 1990

Tucson, Arizona

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MEMBERS

Robert H. Adams
Calvin Black
James E. Bowns
William A. Burnham
Donald Butler
David W. Delcour
Howard (Bud) Eppers, Jr.
Robert L. Flournoy
John K. Gram
Sheri Griffith
Charles C. Hawley

Robert List
Caroline S. Maddock
Mary Mead
Cecil Miller, Jr.
Mark Murphy
Leonard N. (Bud) Purdy
Dave Schaenen
Maitland Sharpe
Everett E. Shuey
Peter I. Wold

* * * *

PURSUANT TO NOTICE the minutes of the National Public Lands Advisory Council meeting were taken at Hotel Park Tucson, 5151 East Grant Road, Tucson, Arizona, on Friday, March 23, 1990, commencing at the hour of 8:00 a.m., before Karen Goodner, Notary Public in and for the County of Pima, State of Arizona.

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March 23, 1990

CALL TO ORDER AND OPENING REMARKS

DONALD BUTLER: I'd like to call the meeting to order. We have a sophisticated sound system up here, but none of us know how to work it. The hotel is going to get somebody to perhaps put it together and we'll go from there. I'd like to welcome everybody here, the members and the Bureau people and our guests, for the official opening of the meeting. We were all together yesterday for the tour, and I'd like to express my thanks to Lynn Engdahl here and to the Bureau people that I think really put together a very delightful and informative and interesting tour. Of course, Arizona weather is always like it has been the last couple of days year-round, so come back any time. I've been in Arizona for a long time, not anymore, and I've had several invitations to come back, which I certainly

appreciate. If California gets any cooler in weather, at least where I am, I will be back. But I hope that those of you who were with us the other night for the alumni dinner enjoyed that, and I would apologize, as I did the other day, to the people that were responsible for putting that together, and that was Bob Adams and Dave Schaenen. They thought it would be a good idea at some time to have an alumni dinner to bring back those people that were on this council from day one, so to speak, and served their term, whether it was three, six or nine years, to come back and to renew friendships and to see where the council was going and to offer their support, help and advice. And I think it accomplished just that. The four or five of our members that are not here this morning for the guests are Bob Adams, from California, had a situation that he had to be in the State of Washington; Bud Eppers is the president of the New Mexico Cattleman's Association, and they're having their annual meeting, so he's probably up in Roswell; Mary mead, from Wyoming, has just announced her candidacy for governor and is on the road

there; and Dave Schaenen's wife is just recuperating from surgery, and so he felt, priorities being what they are, he would be staying in Montana. So, I would like, really, to introduce -- we have five new members to the council here. As you know, it's a rotating situation for a term of three years, and seven go on and seven go off; and there were two reappointments, Dave Schaenen being one and Cal Black the other. Our new appointee is William Burnham, from Idaho; Charles (Chuck) Hawley, from Alaska; Robert List, from Nevada; Mark Murphy, from New Mexico; and Maitland Sharpe, from Washington, D.C. Those of us here have had a chance to get acquainted, and we've certainly enjoyed their company and look forward to their expertise in their particular area. So, we can get started there. Now, as far as the alumni that did come back, or were able to come back, we had -- I believe there were seven that were there, six or seven, at dinner the other night, and a number of them are in the room here this morning. We had Ben Avery, from Phoenix; and, Ben, if you'll raise your

hand there, why, we appreciate your coming down. Lowell Jones, from Oregon. Lowell isn't here. Bob Wright, from Nevada, and you can see some of them are sleeping in this morning. They don't have the responsibility of being here. Bill Swan, from Idaho. Paula Easley, from Alaska, and she had other appointments, but she did come in for the dinner, and we appreciate her being here, and the same for Ray Freedlove, from Colorado. The one other alumni that I'm seeing back there is Dave Tidwell, and Dave was with the Bureau for the term of Bob Burford, and he's now back up in Idaho. But Dave was kind of -- he mothered the rest of us as we came in and helped us put this thing together and helped with resolutions and so forth; and, Dave, we certainly express our thanks to you for coming. And I think I'd like to throw out at this time, before we go into the elections, my last shot here. This morning I had a short visit with Ben Avery and with Lowell Jones, and it was their idea, and to the council, that I address this, that perhaps the alumni could offer advice and counsel to this group and to perhaps form a little organization, or develop a resolution to

the director here so that we could have an Ed Hawk committee, so that they would come to these meetings, but with a purpose. I think it's a pretty good idea, and let the chairman carry on with that. But -- it's nice to have them here, but I think they want to feel an intricate part of this, so I would hope they could develop a resolution and present it to you, Cy, and that you would be agreeable to give them challenges. They've been through some things years past, and I'm sure could give good advice. I think that pretty well covers it. I'd like to say thanks to the council for your support the last couple of years. I've certainly enjoyed chairing this council. It's been a very easy and delightful task, and working, of course, with Bob Burford, and now with Cy, it's been a pleasure and I certainly enjoyed it.

NOMINATIONS AND ELECTIONS

DONALD BUTLER: The floor would now entertain a motion or a nomination for the chairman of the council.

ROBERT L. FLOURNOY: Mr. Chairman, I would like to nominate David Delcour for the council chairman of the ensuing year.

JOHN K. GRAM: Mr. Chairman, I would like to second the nomination.

DONALD BUTLER: Any further nominations? All those in favor of the nomination of Mr. Delcour as chairman, signify by saying, "Aye."

COUNCIL MEMBERS: Aye.

DONALD BUTLER: Would you like for me to go through with the vice-chairmanship? You could take the hot seat up here. And, let me say to the council members, as you address the chair, if you would give your name, because it will make it a lot easier for our court reporter as she goes along, if you could just say who you are. The chair will entertain a motion or nomination for vice-chairman.

EVERETT E. SHUEY: Mr. Chairman, I nominate James Bowns for vice-chairman.

CALVIN BLACK: I second the motion.

DONALD BUTLER: Any further nominations?

ROBERT ADAMS: I move the

nominations be closed.

DONALD BUTLER: All those in favor, signify by saying, "Aye."

COUNCIL MEMBERS: Aye.

DONALD BUTLER: And all of those in favor of the motion for Jim Bowns as vice-chairman, signify by saying, "Aye."

COUNCIL MEMBERS: Aye.

DONALD BUTLER: So ordered. I would again thank you all for the support you've given me, and David can take the chair up here, and it's your shot.

DAVID W. DELCOUR: Thank you, especially, Don, for your two years of leadership. Yours will be a tough act to follow, but I guess time marches on and the issues don't seem to go away, they just get bigger. I really don't have anything to say at this point. I'll have lots of opportunities, and we already are a little bit behind in the agenda. So, Cy, do you have any opening remarks, or I know you've got a couple of reports to give elsewhere this morning, as well, but now would be a good time.

CY JAMISON: Thank you, Mr. Chairman. There's two things I'd like to do to

start with, and then I'd like to kind of give you a short report card to advise you where you are in the BLM. But, to start with is probably the most pleasurable part of being the director, and that is that we have a fine gentleman here in Arizona that's known to every Arizonan and known to every person on the committee, and that's Ben Avery, who is on the front row, sitting over here listening. We're here to recognize Ben Avery, a man who probably knows more about Arizona wildlife and environmental issues than anyone. And, when other people read history to find out what happened in Arizona during the 1920's and 30's, Ben was actually out there making history on conservation causes that he believed in. He's long-term as a legislator, and, as an outdoor writer for Arizona newspapers, he was a champion of conservation and educated the public about conservation issues. Ben has contributed valuable knowledge and insight while serving on the BLM National Advisory Council in the Arizona strip and Safford District Advisory Council, and a list of other council advisory groups that probably go on and on and on. Ben has contributed valuable knowledge and insight while on these

councils, and we appreciate that. Ben, you've been a true friend of the Bureau of Land Management. Your fairness and constructive criticism have given us in the BLM a better understanding of conservation and helped BLM keep focused on its mission of multiple use, and we appreciate that. The BLM, the State of Arizona and the United States can never repay you for your unselfish work and dedication to conservation and environmental education. It is with special pleasure I'd like to call you forward to come up, Ben, to present you with the BLM Conservation Service Award. Ben, we want to thank you, from the secretary, from myself and the BLM. This is one of the two highest awards we can give out in the BLM, and we really appreciate it, and I think it says a lot for you. And, thank you, Ben, we really appreciate it.

BEN AVERY: This kind of takes me by surprise. I don't think I've ever done anything. I've always done what I felt I had to do and what was right, and it's been my pleasure, really, to serve on the BLM advisory committee for Phoenix strip and the Safford district and on this council. I came on this council as a sort of conservationist,

with Jim Lott, when it first started up, and I tangled with a lot of the folks on it. We went around and around on a lot of issues, and we were always friends and it was my pleasure to support the BLM in a lot of changes and activities that I think were for the benefit of our nation. But, I also want to speak primarily to what BLM has done for the State of Arizona, and I feel really proud to have a little bit of a hand in that, but I think BLM, working with our State Land Department in Arizona, has done more to change the map of our state, to change the integrity of our lands all over this state and to protect the environmentally sensitive lands all over our state. It certainly has changed the direction of our state, I think, for many, many years to come. And, in doing this, under the direction of Dean Bibles, I've seen the BLM in Arizona become the leading environmentally sensitive public lands management agency of our area. I think BLM has done a better job than the Fish and Wildlife service and the Forest Service combined, and I'm really proud to be a part of it and it gives me great pleasure to accept this.

CY JAMISON: Let me finish reading the letter that I have, and it really says it all.

Ben, I don't do you justice by not reading the whole thing. Because you not only conceived the need for environmental bills, you helped write them, lobby for them. In the state legislature, you were known as Arizona's 29th senator. It is fair to say that you've been largely responsible for most of the wildlife and environmental legislation in Arizona during the last 50 years. Ben, thank you again. Keep up the good work. We expect another 50 out of you.

BEN AVERY: Thank you, Cy.

CY JAMISON: It's also a pleasure to also highlight a member of this council that's done a lot of work, and that's Sheri Griffith. Sheri received the Conservation Service Award from the department, and the Conservation Service Award, there was ten of them for either groups or individuals, and Sheri received one for her outstanding work in conservation, especially along the river; and Sheri received this award from Secretary Lujan approximately two weeks ago. I was out of town. I couldn't attend the ceremonies. And we appreciate it, Sheri, so congratulations again, and I just wanted the council to know that. I guess, if I could take just a couple of minutes, if that's all

right, Mr. Chairman, I'd like to highlight a few of the issues that will be coming up, and also I'd like to extend a personal welcome to our new members, Governor List, Dr. Biling, Vergil Prey, and then my friend Mark Murphy and Maitland Sharpe, a good, solid advisor. I've known him for quite some time in Washington. We really welcome all of you. And, also, there's Chuck, from up there in the north country. I met you up at the kick-off you had up there in Alaska a couple of weeks ago, and we're glad to have you back down. As Don already mentioned, we're missing four, but I talked to most of them and I wish them well, and I think that maybe next meeting we can get everybody together. I guess that I'm going to throw out kind of a challenge and maybe ask some of you to do a little thinking, because the times are changing and we have to change a little bit with them in the BLM, and I guess the question is, how do you change and still protect the multiple-use mission. And, also, I think it takes -- I tried to give ourself a report card in the BLM, and I'd like to do it publicly, and I'd like the council to also review themselves to see if this is the most efficient way to run the operation. There's no hard and fast

rules on how this council is operated or handled, and I think we've worked mostly in the past of having mostly three meetings a year and one day for sub-committes, or half a day, you take one day of field tours. Is that the best way to operate? I don't know. Maybe you guys ought to talk among yourselves and see if it is. Maybe we should take a look at maybe making a little stronger committee system, or sub-committee system, and maybe the sub-committees ought to meet more often and maybe only have one or two major meetings a year with the entire council and maybe get into some of the issues in depth. I'd just like you to look at something. This is valuable time for all of you, and, if you notice, we have a whole host of BLM folks here. It's an expensive operation from our standpoint, and we're committed to it and I just want to make sure that we're using your talents the most we can. I want this board to move up in stature, move up to where our chairman of our council testifies or speaks or is asked for advice, it means something; and, when you as individuals are asked for advice in your home state, it means something, because, folks, this is a high quality council. It is very sought after. If you knew

all of the political battles I go through for probably every one of your appointments and all of the heat we take, I want more from you. I want even stakes. And I guess the question I have to ask is, individually and collectively, can we do a better job? I don't know. I'm not saying we're doing a bad job. Take a look at yourselves once in awhile and take a look at the internal operation. I think it would behoove us all to do that. I think, Karen, the rules are basically to meet once a year, and after that it's mainly tied to budget, and we kind of call the shots as we see it. I'm not asking you to change anything, but I'm asking you to consider a possible redoing of the way we work, because I think it's important. I'd like to just go on and do one little quiz here, because I don't think that we as local members of your state know how much we deal locally with the BLM. How many had ten or more visits since the last -- how many contacts with the BLM, ten or more times, since the last meeting? About half. How many have contacted the BLM five to ten times since the last meeting? And how many have only contacted the BLM maybe once since the last meeting? All, or five or

more. And I just want to expand that. I think that is a solid deal, like with -- we've worked on desert tortoises, land exchanges and whatever. I know with Mark, he's been on -- visited on oil and gas. Maitland has been on a host of issues. Sheri -- I know Chuck, up in Alaska, he poked around with them a little bit. And maybe we ought to expand that contact a little more and make it a little more official or something, to actually get more out of them, I guess is what I'm trying to say. So, take a look at that from a standpoint, too. I think that's important. I know, like Jim, he called and he's come down and helped us out with a few issues down in Governor List's state of Nevada on some range, and I think that's important. So there's a whole thing. I think we can maximize your expertise more than we do now, and let's look at that. And I also am reinforming you enough. I know Karen sends you out briefing papers and whatever. Is that the best way to operate, or whatever? If you've got some ideas there, Karen is always available to you to expand that issue. So, I guess I'll just leave you with that charge, and take a look at it, Mr. Chairman, and see what you think, and if there's a better way

to do business, we in the BLM are wide open to take a look at it, since you are a high quality council and a very prestigious council, and I want to even make it more so. Enough of that. I guess I'd just like to take the next few seconds, and I think we gained some sound. Okay.

BLM UPDATE

CY JAMISON: I'd like to tell you some of the good news items we have in the BLM. I'd like to go through three general areas, the good news, maybe some bad news, and stay tuned. First of all, I want to say -- and I want to bounce around. I have no rhyme or reason to this schedule. I'm going on with what's important. First of all, desert tortoise, Nevada. We made probably historic first-step settlement in the tortoise issue in Nevada. The desert tortoise in Clark County, Nevada, I think we've come close to an agreement there with a very tremendous cooperation between the state and local county government, the business community, the environmental community, the BLM and the state Fish and Game Department. We

have an agreement, we think, that takes care of the major building programs for the next several years in Clark County that will allow development to go on and also insure the Fish and Wildlife service meets their mandate with the Endangered Species Act. And it was expensive, but it was a settlement. Everybody is moving in the right direction there. Next, on press. We've been doing fairly well with the press, getting hammered here and there, but that's expected. Over all, I think we've changed the tone. We've changed our relationship with a lot of our constituent goups, and over all, I think we're heading in the right direction there. We have a blip here and there. I'll tell one story. I got mad at the Park Service in Colorado because of proposals to expand two monuments into some BLM-proposed conservation areas. And we were doing a very good job, and I got speaking before my brain went into effect, and I didn't realize who was all in the audience, and there happened to be a member of the press there. So I really give the Park Service a going over, and I said that, basically, if they think they're gonna take those lands from the BLM, they're gonna have a heck of a fight on their hands, and dah, dah,

dah, dah, dah. And the next day, in the Grand Junction Daily Sentinel, the headlines on the editorial was, "King Cyrus, the Imperial BLM", and it went on to just trash me back completely, and I deserved it. So, I called the chief of the Park Service, Jim Rydenhauer, and I aplogized and I said, "I spoke out of turn. We should keep our arguments among ourselves and in the family of interior before we go forward." So, I thought everything's going pretty good, and I got back to Washington, and here comes the chief of Park Service here, and the director handed me a blue envelope. You know, those little things you get. And he kind of walked out, and I thought he was paying me the ten bucks he owed me. And then there was the editorial. And it started out, "Dear King Cyrus, we're going to have to get this worked out together. Signed, King James." So, we have some fun, but I think over all our press is heading back in the right direction. As I mentioned, those two conservation areas are going to be some points that we can look forward to that we worked out with the local ranchers and the local hunters and fishermen, so we'll have some good news coming out of Colorado. I think we also have some

very demonstrative good news from the secretary's office in their support for our program. Basically, in our budget process, for the first time in history, BLM's budget actually expanded, but the department went down. The department-wide got in all the bureaus and agencies went down by 375 million. BLM has expanded by 65 million, and I think that showed -- it gave BLM a little higher priority. Next, also we've been getting some very positive feedback from -- we've been going up to the hearings and not getting raked over the coals. We've been getting positive feedback and telling us that they want to assist us in where we're going, in balancing out the multiple use a little bit. We've been doing a very good job, I feel, in volunteer programs, and I know many of you in this room, BLMers, are the ones responsible for it. We have moved to the thousand points of light. We have moved to 66,000 points of light, department-wide, and we will be moving to 100,000 points of light by the time the fiscal year is over. We had three reports, or four, that you will be seeing, range land, back country, by-lands, all steps in the right direction, in a positive experience for BLM programs. We have some "wait

and see" categories. We have "wait and see" categories on LIS, on land Information Systems, Elmars, Dean Serfani. Ask him privately. He has spent literally hundreds and hundreds of hours on that program, trying to get it back on track. OMB has given us a big budget zero, and we'd asked for $65 million, and they gave it to us as zero this year and zero next year. Dean has got that back on track, I hope. We have a still wait and see how we're doing on bonding and reclamation mining. We hit a little blurb up in Alaska. I blew it. I aplogize. We should have done it differently. And, in land exchanges, we did a lot of tremendous land exchanges here in Arizona, but there are some members of Congress, one in particular, congressman Mike Sainar, is trying to find the son of HUD in the HUD scandal, and he thinks it may be in the interior department land exchanges. There's one in Wyoming, and that's the JY Ranch exchange for via easement in the Grand Teton Park for the Rockafellows. That's still in the mill, wait and see. To the name exchange, we've got changing the proposed National Trust Lands. We went back and blew it there. I got out too far in front of the public, and I

think we've got that back on track. We're taking it back to the hill with the name called National Resource Lands. We've polled every environmental group, I think just about every one, all the environmental groups I know of, talked to them, or someone has in my office, the cattleman's group, and kind of a consensus comes up as the National Resource Lands, which was the name which was proposed originally by the Senate before it passed. So, stay tuned on that. And then I want to say, big problems on the horizon may be the next category, spotted owl. That meeting out there with the Fish and Wildlife service, the Forest Service and myself a week ago in Portland, we took a private briefing from the scientific committee, who put together to address what we called the Habitat Conservation Program for the owl, presented publicly on April the 5th, in front of the agricultural committee back in Washington. And I hope I'm out of town. Another is abondoned or unplugged wells. We're being pulled in two directions. National energey strategy is to leave as many of those unplugged as possible, to go in maybe at a future date for enhanced tertiary recovery. On the other hand,

we're getting pushed by the IG, our own inspector general, saying we have X-hundred million dollars of liability and to plug them all. So, going two ways there. And another one that I'm very concerned about is OMB thinking we're doing a lousy job in the oil and gas enforcement inspection area, has sent us over directions for our '92 budget to do a study of transferring all of those funds from the BLM to the MMS, Minerals Management Service. In closing, I guess I want to say a couple of things. We will continue to be aggressive. We will be high profile. We will make mistakes. We will keep all of our doors open. Even if I don't like to hear what they have to say, I think that's important. And, the bottom line is, we are going to make BLM a truly true multiple use agency. So, with that, I'll close. And, thank you, Mr. Chairman, and good luck. We will all hang together.

DAVID W. DELCOUR: Thank you, Cy. We will call Lynn Engdahl, acting Arizona State Director.

LYNN ENGDAHL: It won't take me long, and I'll introduce your next speaker when I'm done. We'll go as quickly as we can. I was

a little nervous about coming down here yesterday, because I had the absolute pleasure of spending time with the director, and I was just slightly nervous about the reaction that you would have, having come off of that trip. Was delighted that my expectations were not only fulfilled, but more than fulfilled, by the leadership that was on that tour. I'd like to tick off five names, the acting Associate Director, Paul McClure; two very good district managers, Ray Brady, from Safford, and Henry Bison, from Phoenix; and two other people out of my state office in public affairs, Gordon Warren and Debbie Stevens, who were responsible and are responsible for everything, except this breakdown in the communication system. Thank you all for making BLM Arizona have a good time showing ourselves off to the world. Welcome to my fellow BLMers from other states, and welcome to Arizona to all of you who come from colder country. This is a place that grows on you, and I really haven't figured out how our retiring president found it intelligent to move from here to the state that he moved, but that's his problem. I won't take any more of your time, except to tell you that this next speaker is a matter of kind of a ringer that we

brought in, because he is the Deputy State Land Commissioner of Arizona, but Glen Collins is also a BLMer in his soul. For 27 years, in California, Washington, D.C., and Arizona, he spent 20 of those years right here in Arizona with BLM. In 1984, for some reason, he decided to retire as our Deputy State Director for Operations, and what he did when he retired was take on a better man to do another great piece of work. He has joined the State Land Department, which is our alter ego in many of the federal-state land exchanges. He's been Deputy State Land Commissioner there since 1987. And I'd simply like to introduce you to one of the State of Arizona's best, and the reason we think he's one of the best is because he came from the soul and heart of BLM. Glen?

PUBLIC LAND MANAGEMENT IN ARIZONA - THE STATE VIEW

GLEN COLLINS: Thank you, Lynn. Some of the people I work with in the land department have accused me of being a ringer also, but not publicly. I'm pleased to be able to be

here this morning to talk about public land management in Arizona, this state. I need to qualify my remarks as being from the State Land Department perspective. There are many state agencies in Arizona with the roles of managing public lands and natural resources, just like there are in the federal system. There's the parks department, the mineral agencies, Game and Fish Department, water agencies, environmental quality. The land department is the only state agency with total management responsibility for large land areas in this state. While these state lands are not truly public lands, in the sense that BLM lands are public lands, we in the State Land Department must deal with the same land management issues and conflicts as does the BLM. We are the BLM's nearest neighbor in most areas of Arizona. Our holdings are similar in character, size and location; and, for these reasons, we in the land department are probably best able to relate to and represent the state on the issues that are faced by this National Public Lands Advisory Council. In preparing for this, I ran across something yesterday that gives me considerable statutory authority to be here. I found this. It's a surprise to me, and

I'm sure it's going to be a surprise to you, Lynn, that the Arizona State Statute provides that the land department shall be the official representative of the state in any communication between the state and the United States government in all matters respecting state lands or any interest of the state in or to the public lands within the State of Arizona. Now, driving to work Wednesday morning, I heard Paul Harvey report that the English Parliament had just repealed an ancient statute that provides that anyone predicting the weather in England will be burned at the stake. Now, I suspect -- I don't know how old this statute is, but I suspect, if the Land Commissioner were to assert his statutory responsibility here and tell the Game and Fish Department or the Department of Mines and Mineral Resources, the Department of Environmental Quality, that the Land Commissioner will represent the state in dealing with the United States on federal lands, he would be burned at the stake also. But that's not the way we operate here in Arizona. There are perhaps three words that best characerize, I think, the state-federal agencies inter-relationships on public land management in Arizona, and those are communication,

cooperation and coordination. The fourth C word, conflict, is always present, but the issues that it represents, invariably it resolves through the processes and the working relationships between the state and federal agencies in this state. And I want to say, and it will to some extent -- to what Ben had said, that in Arizona BLM has been way out in front as a federal agency and the leader in building the state-federal working relationships. But, before discussing details of these working relationships, I'd like to digress a minute to talk -- to describe what state trust lands are, for those of you who aren't familiar with them. In all of the western states that have state trust lands, they are not public lands, they were lands given to each western state at the time of statehood to be be leased or sold for as much money as the state could get out of them, to raise money for the public school systems, for hospitals, for mental institutions or penitentiaries; and we have had a very specific charter. We deal with this same clientele, the same customers, the Bureau of Land Management does. But, when they deal with us, they have to deal with us on a cash money or lease permit basis. Each of the westsern states got two sections of

land in each township. In Arizona, New Mexico and Utah, we got four sections per township. So, Arizona has literally one-ninth of this state in state trust ownership. So, the Arizona State Land Department is the -- has no western state land department. The state agency was very specialized in real estate mission. We have nine and a half million acres of trust land, and our job is to make as much money as possible out of that, for beneficiary reasons, for our school systems and other institutions. Every dollar we can raise from our trust lands, that is one less dollar that has to be raised in taxes. Therefore, in this state and in other western states, there are important distinctions between the trust lands and the federal public lands. Federal public lands are managed for a variety of reasons. The BLM is a multiple-use agency, but, as you know, they have the opportunity, and the laws allow them, to transfer public lands to state and local government agencies and non-profit associations for parks, schools and other local government facilities. Arizona BLM has been a leader in BLM and has provided nearly 200,000 acres over the years for parks, schools and other local government public

facilities. In contrast, state trust lands are managed as real estate assets, to make money to support public schools and institutions. The first day I went to work for the land department in 1984, 30 minutes after I got there I attended a staff meeting, and the Land Commissioner said, well, last week -- and I still remember this -- he said, last week we made $365,518. And I had been involved with public lands for 30 years, but it had never been explained to me. Our job is to get as much money as we can for these beneficiaries. The basic tendencies of the buyer or the user of trust lands must pay market value, based on an appraisal of the land and of long-term lease trust lands. As a matter of fact, the general public is not authorized to go on state trust lands unless they have a lease or a permit from the land department. As a matter of act, Arizona has passed a law allowing people with hunting and fishing licenses to go on state trust lands. It's probably not constitutional, but of course we welcome it and allow this to happen. So, the state -- well, the state and BLM manage forage and timber and other natural resources in similar matters. When it comes to real estate actions, Arizona, like the

other western states, must charge full fair market value prices, and even auction land to our sister state agency and local government entities. As I said earlier, we have an advantage over most of the other western states. We have twice as much trust land as they do, and, instead of having it in scattered sections, we have our land blocked up. We don't have any oil and gas or coal or timber, but we have all of the land around Phoenix and all of the land around Tucson and most of the land in between, and we get our money -- we make about $100 million a year, and most of it from real estate transactions. So, in Arizona, in land management, it's much like BLM and the national forest, eight and a half million acres of rural grazing land, and we've got another million around the rural areas. But, in rural Arizona, because of the intermingled state-BLM land ownership, we have resource management opportunities in coordination and cooperation with our federal neighbors, the BLM; and, essentially, that we work closely with them. What I'd like to do is describe what is happening in the federal-state public land management in Arizona and why it has been so successful. About a dozen years ago,

the land department and the BLM began a joint effort to take advantage of the opportunity presented by our intermingled lands and our common and conflicting missions. Together we established policies and procedures to cooperate with the management of our intermingling lands, the rural areas, where we have similar land resources and common management objectives. And, second, to capitalize on these opportunities, to enhance other very different missions by putting trust lands with significant public values so it can be protected and to transfer federal lands with development and money potentials to state trust. Let me site two examples of how we do things in Arizona. We have an MOU, a memo of understanding, between BLM, State Land Department, Soil Conservation Service, the Forest Service and the Arizona Association of Conservation District that is a supplement to this national MOU between these same federal agencies. The Arizona MOU is quite intended to foster the coordination and development and implementation of council resource management and conservation programs on intermingled or adjacent public and private land where its objectives are mutual. Now, since 1979 this

MOU has been the basis for our cooperative natural resource management, planning of large areas of rural lands for the preparation of coordinated branch management within these areas. This MOU sets the framework for determining who is going to be the lead planning and who's going to put together the deal of federal-state agency representative and the livestock operator, or preparing coordinated land management plan. And I want to emphasize just a bit about the role which livestock operators, or grazing leases, play. In state government, state law, the livestock -- the state grazing leasee probably has a stronger legal position than he does in the federal system, but he has been our representative on the land for years; and, if BLM has taught us something about how to deal with rural and public land management, I hope that we in the land department have been able to teach BLM something about dealing with the grazing leasees as a partner in land management rather than as a leasee to be watched and controlled. During this branch planning program, the state and the federal agencies recognize each other's caring capacity for overgrazing allotment. The state-federal

set a unified management plan for allotment for these state and federal lands; and, instead of a management plan based on land ownership, we have a management plan based on a ranch unit, without regard to ownership. This simplifies things for the rancher. Carrying out this MOU with the federal and state agencies to coordinate the effort and the professional resource now being carried out, it's being carried out throughout the year to direct and plan. Perhaps, however, the most dramatic illustrations of how BLM and the land department work together in Arizona is our land exchange program, and it's been mentioned several times here already. In the past five years, the land department-BLM has exchagned nearly one million acres of federal and state land here in Arizona. Now, the only thing about land exchange, I can appreciate why we consider the exchange of one million acres a major accomplishment. First, we have to trust each other; and, second, we have to streamline the process. We focus on the land and its potential, relative to the different missions of the land department and the BLM. We sit down with the BLM and sit down to determine which federal lands were better

placed in state ownership and which state lands should better be in federal ownership. And, we follow these different guidelines. We had scattered school sections in areas of predominantly BLM lands. Those school sections go to the BLM. They are remnants of BLM lands. And areas of state lands, those should go to the state. Where state lands, in grazing allotments, are predominantly federal, should go to the federal, and vice versa. We look at the BLM lands, commercial or agricultural or residential potential and BLM lands near Phoenix or other residential areas, or should they go to the state to capitalize on the development potential. We take the state lands inside of the BLM wilderness area, the primitive areas and key wildlife habitats and other agencies with recreational values and arecheological values and said, those should go to the BLM federal ownership system, where their public resources could be distributed. We haven't always agreed on who should get what land, but we accept the discussion on the land and this potential relative to the different missions of the land department and the BLM. Land management consideration decided the division, not

the issue of what you will give for what you get. When we have not been able to reach an agreement on a specific situation, we set aside and work on something that we can agree on, rather than letting a disagreement become a barrier to a project. Too often land exchanges fail because either one or both parties want to use their ownershiop as a leverage to force the other to make an exchange they don't want to make or to give more land than they wanted to give. I'll give you this if you'll give me that approach to land exchanges requires a lot of managerial appraisal and negotiation time. That kind of approach is necessary when a public agency deals with a private individual, but it is not necessary in a state-federal relationship, unless you want to make it happen that way. So, with that in mind, we have been able to streamline the exchange process. What we do is, we sit down and we divide up the work. The state and the BLM share resources, inventory and land appraisal, and we use the other's reports. After all, we had set up -- and this is the thing that made it work -- we had set up a land exchange pool in each of the BLM districts, and, in that district, who would

have what land, and they would set about trying to free it up and clear it for transfer. And, when the appraisals were done, we pulled equal value groups of federal and state land out of the pool and made a trade. So, the land exchange becomes essentially almost a clerical record-keeping situation, where land is transferred and you adjust the records to balance the books. One advantage of this pooling is that it allows either agency to give the other agency what they want when they need it. A few years ago, the Secretary of the Interior was out here to dedicate the Arizona strip wilderness area; and we went to that and we conveyed 21,000 acres of trust land to the Secretary of the Interior so that the BLM owned all of the land inside those wilderness areas. Six months later, the BLM needed 48,000 additional trust lands for the exchange of the Navajo Reservation. We gave it to them. Two years later, BLM paid us back a large block of land out here in western Arizona. It's desert on top, but it's a major ground water reservoir under it, the key to the development of all of our urban trust here in Phoenix and Tucson. If we tried to do that with the traditional land exchange process, it would

have never happened. Perhaps one of the most significant accomplishments of this land exchange program has been that we've been able to take trust lands with important public values that needed to be protected or preserved and put them in public land management system. We've given the BLM 50,000 acres around the Arivaca Canyon primitive area. We gave them 25,000 acres for the Nature Conservatory Mule Shoe Ranch. I think it was about 45,000 acres that we had in the Audubon Society's research ranch. We traded those lands to BLM, and they -- and those conservationists can manage them together. We traded most of our land out of the wilderness areas. We've taken some trust land out of the Grand Canyon National Park, and they've ended up in the National Park Service. The Fish and Wildlife service got the trust lands in the national refuge, plus about 20 miles north of here is the area called Catalina State Park. It's on its way to the Forest Service. We've got BLM lands around Phoenix and Tucson and along the Colorado River, where the development energy potential is far greater than the trust lands inside of the park and in the wildlife wilderness areas. Some other states, I understand

that big arguments are going on on whether the state is going to get a hundred dollars an acre for trust lands and wilderness areas or $300 per acre, because the land is valuable because of the wilderness. Well, we don't want the hundred dollar lands, you take them. We want what you got near Phoenix or over on the Colorado River. It's better to switch than fight in a lot of those situations, and you can argue forever about whether it's 200 or 300 or a hundred, but, boy, you better get about getting those lands out of there and getting -- and get the land where it will do you some good. One of the ingredients that we've tried to follow, that we will not allow the state trust lands to become a lever for interest groups opposed to things like wilderness, because we don't do that in Arizona. So, you know, we've been pleased to help out in a number of different areas. The trade of federal mineral rights beneath state trust lands to the Santa Fe Mining Company has helped bale that problem out of the federal wilderness areas by changes we suggested that helped straighten that problem out, with a solution that I think cleared the way for a lot of wilderness legislation going through here

today. So, land exchanges is a major tool for the state and federal land management in Arizona; but they're not the only answer. I need to mention that yesterday -- I don't know whether anybody told you, but there's a sizable amount of BLM trust land inside of that Empire Cienega Ranch, and I'm pleased to announce that the National Land Trust has turned it over to the state, and the BLM has gauged their grazing bill. We collected $10,533.06 from Henry Bison, the district manager, and paid $10,000 early; and, you know, we are pleased that you are a grazing leasee and we expect you to pay your rent in compliance with the terms of the lease. But, the important thing is that someday we may trade our 37,500 acres that we have in the Imperial Cienega -- we may trade that to the BLM. But trade is not a necessity, because our objective for management in that area is the same as the BLM. So, there are several reasons for the BLM and the land department of Arizona being able to accomplish these things. It had a series of governors that placed a high priority on protection of the environment and on making trust land benefit to both the state and federal government and series of land commissioners. Two of them you may have met, Joe

Falina, who used to be the state director. Joe Falina was the land commissioner in the early 80's. Gene Hassel, present land commissioner and former regional director. Both of those men came to the land department with long careers in federal service, and they have balanced the environmental protection and good land management practices with a money-making mission of trust, and also developed in the land department a professional land and lease management staff, many of whom were trained in the BLM and Forest Service, who brought with them not only their expertise, but understanding of the federal agency program and the interpersonal working relationships that have facilitated this cooperative inter-agency of land management in Arizona. In the 25 years that I've been in Arizona, I've seen the land department go from a small group of directors, clerical and selected people to a professional land management group of people. And, throughout that growth, the BLM has been the model of how you do things in an organization, as well as a source of the professional people in the land department. Finally, we've had the type of federal agency leadership in Arizona by the BLM that fosters this organization plans

and proposals and asks for input. When I say that, BLM is the leader. Now, I really mean that. When I worked for BLM, I know that we had an extensive involvement. Now that I'm with the state, it's easy to see how BLM is the federal agency involving the state local government and the public land management issue and setting the pattern for the other federal agencies to follow. BLM is a leader in public land management in Arizona. Between 1960 and 1980, BLM built their identity by giving land away. During the 1980's, the BLM built a reputation for public land management by creating ways to protect and to acquire and protect environmentally-sensitive lands to land exchanges, wilderness programs. In 1985, I was with the land department, and the land department and the governor's office worked with the owners of both at the San Pedro area and the Empire Cienega Ranch to see if there was some way to use both lands. And, to prove our trust management responsibility, if we got it, we would have to lease it for the highest dollar. The governor called Dean Bibles and said, "Can you help?", and in two yuears the BLM has those two areas. Ben Avery summed it up well when he said

that the BLM has become the major land manager, federal land manager, in Arizona, and it's just amazing what you can do when you want to set out to do something. And land exchanges are always going to be criticized, but I think you people have seen yesterday what has been saved for the public, for the environment and the future of individuals by those accomplishments. So, in conclusion, I'd like to say, on behalf of the land department and our sister agencies, the national resource field, that I think we have excellent federal-state working relationships and public land management here in Arizona. I think Arizona has an outstanding story to tell, and I'm proud to be part of it and proud to be here today to tell you our side of it. Thank you.

DAVID W. DELCOUR: Thank you very much. We're running way behind schedule, due to the early difficulty we had with the public address system, but I think, if there are a couple of questions from the council members for you, Glen, we'll go ahead and take them.

Okay, thank you very much.

(Next page.)

FORGING A NATURAL RESOURCE PARTNERSHIP: BLM AND THE NATURE CONSERVANCY

CY JAMISON: If Mr. John Sawhill, the president of The Nature Conservancy, would come up and join us at the table here, we'd much appreciate it. I saw him over here a second ago. Here he is, the former Secretary of Energy. Come on up here, John. Thank you, Mr. Chairman, for allowing us to do a little BLM business while we're at the council meeting. It is my sincere pleasure to make one more step in cementing our relations to a very active group in the country, one of which is The Nature Conservancy, a group that we have worked with very well in the past at a localized level, and I think Mr. Sawhill, who is the new president, knows Washington well, knows the administrative process well, as being the former secretary, that we have an umbrella agreement that will cover the Bureau of Land Management and Nature Conservancy at the top. I'm very proud of the fact that we've worked very well at our local level, and that's been demonstrated in a couple of examples I'll give in a minute. I think it behooves us that, when we

sign an agreement -- we've signed a lot of agreements lately with the BLM. In fact, last week I signed one with Trout Unlimited, Ducks Unlimited, and a whole host, but this one that's very important to us, it gets down to management of the habitat basis. The others all function from the habitat. Both of our organizations are a credit to protect and preserve sensitive resources. They are also committed to assembling sound and reliable data, which is important, and that's why we're here today, to sign an agreement to bring these into focus at a national level. The TNC's extensive experience and acquirement and management specific in national resource value by BLM is an invaluable advisor and assistance in managing our own sensitive ecosystem, and we need to demonstrate that with some examples. There's already a substantial track record established in field offices at the TNC and cooperate on specific projects. Most of the BLM state offices are already in agreement with the state TNC corporation, and I think I'd just like to highlight, if I might, a few of our accomplishments with the TNC. We have, in Oregon, a Warner base reserve, probably one of the highest areas of production areas for wildlife and water

fowl in Oregon, in the eastern side. Those put together through cooperation with the local BLM and TNC, and that works. That's what we want to do. Everybody is pleased with how that is working, and the livestock community has been supportive. Up in Peter Bohl's area in Wyoming, another cooperative example between TNC and the Forest Service, Wyoming Fish and Game. This is a critical habitat base for bighorn sheep and elk. That is a positive step. That's what we want to do. In California, neighbors across the border, which I visited the BLM along with 16 cooperators, including oil companies, wildlifers, local agencies, have worked together to complete land exchanges and purhcases so all 180,000 acres are publicly owned, and it's the home for endangered species and wildlife species, both plant and animal. And, last to say, but not least, is right here where we are today in Arizona. We have had some excellent cooperation in working forward in the Mule Shoe Ranch. We heard out there we're acquiring some critical habitat, especially in our arid southwestern states. Also, you've helped us a lot in the Empire Ranch, through advice and assistance and putting that package together, and it's coming

along very well. I think that the agreement that we're going to sign today is very positive. It's what we want to do in the Bush administration, is being open to work with our neighbors in the conservation community, along with the traditional sense, the commodity users. So, I think if this agreement helps us move forward in that area, whether it's with additional identification of the sensitive wildlife habitat area or other ecosystems, that's a step in the right direction, whether it's through land exchanges or through acquisitions, or wherever that takes us. And, also input into our local planning system on the ground management is much appreciated. We appreciate also the data that was collected by some of your experts. It helps us with the management of both. So, in short, we're proud to be here. We're proud that you consented to sign an agreement like this with us, and now, Mr. Sawhill, I'll turn it over to you.

JOHN SAWHILL: Thank you very much. Well, number one, Mr. Chairman, thank you very much for the opportunity to be here; and, Cy, I appreciate your remarks, and also the opportunity to sign this agreement. As many of you know, my

background is in the energy industry, I've worked in the energy industry and also in several energy agencies in the government. First I was in the Federal Energy Administration, with Bill Simon, and later administrator of the Federal Energy Administration with the Ford administration, and in the Carter administration served as Deputy Secretary of Energy, with Charles Dixon. And, in all of those capacities, I had an opportunity to work very closely with the Bureau of Land Management, and I must say I always found the experience to be a very satisfying one because I found the people in the BLM to be practical people, professional people, and people that knew how to get things done. And, I like to think of the Nature Conservancy, that we have some of the same characteristics, that we're not very visible and we're not advocates, but we are practical and we are professional and we try to get things done, and that's why we particularly appreciate this opportunity to work with the Bureau of Land Management, because I think our two organizations are populated by the same kinds of people with basically the same kinds of objectives, and I really look forward to signing this

agreement, which is occurring at the outset of my becoming president of the Nature Conservancy, because I think it is going to cement a relationship that's really been growing and in existence for 30 years. I'd like to say a word about land management. So often, as we think of land management, we think about the tools and the techniques of land management, the computers, fax machines and pickup trucks and all of the things that we do in order to manage land more effectively. And it might be relative to reflect for a minute on why we do what we do, what is behind our overall objectives of land management. Many of the landscapes that you've seen down here in the southwest, the arid desert, the river forests, such as the San Pedro that we saw yesterday, were formed as recently as 10,000 years ago. In one sense, I guess it seems like a long time, but really, in geologic time, it's only a moment. The Empire Cienega Ranch that you saw near San Pedro is, in fact, a relic of the Plystecine wetland that once covered much of southern Arizona; and, as you know, the kinds of animals that were there, three-foot horses, giant wooly mammoth, bisons, camels and bighorn sheep, all were there in the

fairly recent past. Yet, in only 400 years since the first Spanish Padres set foot in Arizona, we've seen over 500 plants and animals vanish from the face of America forever. As our human population rises, often our wildlife population decreases. In the year 1,000 B.C., just to take an example, the world population was the same as the population as the State of Arizona today, three million people, and now, of course, there are five billion people in the world. Pressure from growth could rob us of much of our natural heritage legacy. Extinction will continue to take place, not just in the rain forests, but in the temperate world as well, unless we take action. And I think that's what we're doing here today in signing this agreement, we're taking action. And that's why it's an important agreement. It will create a partnership between two groups who have the ability to show how to manage lands for multiple use. It was interesting, as I was waiting outside and looking at the picture board outside by the BLM, to look at the example of multiple use, there was an oil rig, there was cattle, there were animals, there were some back-packers. It seems to me this really represents the essence

of what our two organizations are about, that is managing land for multiple use. In our case, we're interested in protecting our natural resource base and our natural heritage, but we also recognize that it's important to encourage economic growth and development. We think it's important to show the prehistoric creatures, like the bighorn, the bald eagle and the grey hawk, that still live on Arizona's primeval lands while compatible human use, such as grazing, takes place. An example of such a land is the San Pedro River area that you saw, the largest free-running river system left in the southwest. The cooperative BLM-TNC project, the Mule Shoe and the Aravaipa Canyon Reserve demonstrate how BLM's unique land exchange program has benefited both wildlife and the human community. Because the major San Pedro contributary on both preserves has also been protected, a significant area of an entire watershed has been preserved. BLM's flexibility and good institutional processes have made all of this happen, and I think the recent perhaps more aggressive and maybe even bolder approach that the BLM has taken at the outreach that it's made to groups like ours really is a credit to Cy Jamison's leadership of

the organization. I have no doubt the project, like the San Pedro River project, will provide national, or maybe even international, models for the entire field of conservation. So that's one of the reasons I'm really pleased to be here today and pleased to be in a position at this time to sign this agreement, because I do think it's going to draw national attention to a very important way of creative public-private partnerships, which I think, as Cy pointed out, is one of the hallmarks of the Bush administration. So, we commend the BLM, especially here in Arizona, for its groundbreaking work, and I know that I speak for everyone at the Conservancy, including our Board of Governors, who discussed this agreement at the last meeting; and I say that we deeply thank you and look forward to working with you in the future. And I do have, if I can find it, something that I would like Cy to give you in the BLM. This is a -- I know, having been a government official, that you really can't give presents to government officials, but I think this one might be okay, and what it is is a picture of the Mule Shoe Ranch, and it's got a little plaque on the bottom that says, "Presented to the Bureau of Land Mangement in

appreciation for a productive partnership, The Nature Conservancy, March 23rd, 1990".

CY JAMISON: Thank you.

JOHN SAWHILL: So, I understand you're remodeling your office.

CY JAMISON: Yes, we're trying to get it up to 1970 standards. We've got a ways to go. This is going to go on my wall. I really appreciate it. Before we continue and put some ink to paper, I'd like to invite a representative from Congressman Jim Kolbe's office, and she has a few words. Bonnie, if you'd come up here.

BONNIE BONIGER: Thank you very much. Congressman Kolbe had planned to be here today and couldn't get away from Washington; and, thanks to Fax machines, he was able to send a message to you. "Mr. Jamison and Mr. Sawhill, and greetings to Don Butler and everybody on the land council, welcome to southern Arizona. I wish I could join you on your joint effort today, but I'm honored that you chose Tucson to be the site of this landmark agreement. You will soon discover, if you haven't already, that Arizona cares about their environment. Our federal agencies and private organizations reflect that concern.

Bureau of Land Management of Arizona has obtained an increasingly strong position protecting both the environmental health of the land and the management, and, with the strong presence of the Nature Conservancy, conscious of the private and public land management -- with the strong presence of the Nature Conservancy, prove that the conscience of private and public land management of individuals and partners are just as important, and they back their beliefs with needed dollars. To paraphrase President Bush, they have both will and wallet. This is a profitable partnership here in the west, where the battle lines are often drawn between the pro-development and the anti-development. And it may be strange to use the word profitable to describe the conservation of land. If you want to preserve the environment, don't you want to be against profit? Well, no, not if we understand that everyone profits from the caring stewardship of our national resources. The builders and the tourists, the new businesses and the retirees who move to the west are also coming to understand that the resources are unique and beautiful lands can be destroyed if we don't exercise caution. I've never agreed with those

who must choose between envionmental care and economic development. I see the two values inextricably welded together. That is why the agreement that is signed here today is so important. Both the BLM and the Land Conservancy understand the economy of land and its uses. The uses of the land seem endless to the first-time visitors. We could live on it, farm on it, raise stock on it, build on it. No, those vasts spaces are not endless. They are finite and they are fragile. Because they are, we must decide how best to protect the desert creatures on the land, not the least of which is man. The Bureau of Land Management has an enormous task, which complicates with mandates. As with any federal agency, the BLM must work with people in order to carry out its tasks. As we understand federal agencies, there is never enough money and never enough manpower. That is why this partnership is so vital. I have been personally involved in several of the joint ventures with the Nature Conservancy and the BLM that have taken place in District 5. I have hiked and ridden horseback in wonderful places, like the Mule Shoe Ranch and Aravaipa Canyon Reserve. I was delighted at the successful

conclusion of the complicated negotiations arrived at with the Empire Cienega Ranch area, just north of where I grew up. I'm particularly proud of the establishment of the San Pedro National Conservancy. All of these magnificent accomplishments depend on a public-private partnership. All entail the cooperation of the Nature Conservancy and the Bureau of Land Management. In these large projects and these smaller tracts of identified areas, critical environmental concerns and sharing information and giving advice, this ia a partnership that works for us all. We've seen it work in Arizona, now we can all rejoice knowing it will be working all over the country."

CY JAMISON: Thank you, Bonnie, for those kind words from the congressman. Well, Mr. Sawhill, I think it's time we put some ink to paper.

JOHN SAWHILL: You first.

CY JAMISON: All right, thank you.

(Ten-minute break.)

DAVID W. DELCOUR: What we're going to do, we're gonna try to get more or less back on

schedule, and I think we can do it. Our next three reports are from several senior Bureau officials. We've allotted 30 minutes for each of these three presentations, but we're gonna ask them if they could maybe lop about five minutes out of their presentations. Then, what we want to do to accomodate a flight schedule, we want to hear from Curt Jones on the progress being made on the automated record system, as you know, those of you who have been on the council for several years, was a subject of our attention when we met in Walla. We will wind up cutting the morning subcommittee meeting short. I think we'll try to save enough time so at least you can convene, introduce yourselves to one another, and maybe identify some subjects you may wish to pursue later in the day. Then, this afternoon, after the public comment period and one other presentation, we'll move into the serious subcommittee work. One of our afternoon presentations will not be made because the individual had some travel conflicts at the last minute. So, I think that, by the time the day comes to an end, we will wind up having gotten in the whole agenda and you will have just about

as much time in the subcommittees as alloted, maybe a half hour less, all told. But I think it will work out pretty well. So, with that, Cy, can we call on you for a status report on the range land programs?

BLM RANGELAND REPORT

CY JAMISON: Thank you very much, Mr. Chairman. What I'd like to do is just to briefly highlight, and I'll make up a lot of your time here today. But it's very important that I felt that we have a balance approach thoroughly multiple use. We have a good progressive Fish and Wildlife 2000 going, and a good and aggressive recreation 2000 program. And, when I came down there, I said, "We need something to blend in," which is one of the key parts of doing anything with those other people, that's blending in the grazing program, or the range land program, whatever you want to call it. So, we were fishing around, and I thought this up myself. I said, "Why can't we do something with the Diamond Jubilee and the Taylor Grazing Act?" That's in

the 2009. So we asked Billy and Dan and a whole host of others. We came together and put together a program that gave us some goals for the range program, reaching out to the year 2009. That's what I'd like to do, is go through, and I want to add a couple of other things as a caveat before we start. This program is designed for an educational program and goal-setting. It may seem elementary to you, but it's very important that we educate folks mainly east of the Mississippi on where we're at in the west and what it means to us and how change occurs on the range. And so the next few slides will be the range of our vision. This slide is known to you all. It shows basically the rest of the lands and how they lie, and it also shows that they lie in the western United States. Nothing surprising about that. I wish this slide was clearer. What we're going to do is that we're going to change the terms in which we describe range condition from excellent, good, fair and poor to the scientific names that have been adopted by the Forest Service and recommended by the Society of Range Management to describe range condition. They are the Seral stages, and all that means, in a nutshell, is, it

gives the ground cover succession, that it can go to what we call natural potential, or climax, if you let nature work 100 percent on its way without any interference. Early Seral, the definition of that is, if you had 25 percent, i.e., ground cover compared to the natural potential, and it goes through mid, late and natural potential and climax. Those four slots are old terms for poor for early Seral, fair for mid-Seral, good for late Seral and excellent and natural potential. Let me also highlight that the management objectives occur in these two, mid and late Seral. That is one of the most vigorous forage production, that is where your opportunities for management are, and that is where we want to have the majority of BLM lands. Actually, in potential natural, the production is not meeting many of our management goals. So, let's go on to the map. Here's where we are today, 1989. We use the figure 170 million-plus acres to define what is in the grazing, or actually in range. We go through, and here's where we're sitting today. We have about three percent in our potential natural, and we have about 16 percent in the poor condition. The one I want to stress on is moving the land out

of the poor condition up into these other categories. If you look at that, we also have over at the side, and which we will better define -- Billy and I will be working, and others, to define what this unclassified portion is, the block of 24 million acres. The 24 million acres include land that has been seeded, farmed, may not be grazed, and a whole host of other things that are dumped into that unclassified stage; and we need to clean that up so it doesn't look like we're playing funny numbers with the American public. If you took the lands there in the good and the excellent conditions and corresponded those acreagewise, they would cover the states of Vermont, new Jersey, Delaware, Maryland, the District of Columbia, West Virginia and Virginia. So, we are dealing with a tremendous amount of lands that are already in good management condition. That is one thing. Probably the most important slide of this entire presentation, to me, in presenting our story, is the rainfall, the annual precipitation. If I was doing this with flip charts, I would bring back on the other land ownership part and set it on a chair, and I would say, "Folks, we are dealing in our range program

on lands that have 20 or less inches of rain a year. Everything approximately east of the Mississippi is higher in precipitation, and the point being, when we deal with less precipitation, 20 inches or less, change is very slow. And here's why I want to say that. The top graph up here is what is the southeastern. The key point that I want to make is that, if we went from bare soil clear to a solid tree canopy, they could do it in 150 years, and that's basically east of the Mississippi. You get out in our neck of the woods, where we're at today, and that same vegetation takes 300-plus years. That is the very important thing. People expect instant results in the range progaram, and, naturally, you just can't do it. The majority of your management operations are this category, and also right here. Where we want to be is right here. That's where we have the most BLM management options. That's where the AMP's are pointed. That's where we have the most multiple use that can take place. But you get out here on the ends and you have very little coverage. It's a tree canopy. And you get over here and you have very few options. So, the goal is to move them in the middle. Let's take a look

at where we stand and where we're at. As I mentioned before, we have 1989. We did some adjustment figures there from a 1984 report that was done. And, Billy, if I'm not mistaken, we actually went through and there was some either misreporting, and we changed the format and we feel that we want to use 1989 as a base, and it leaves us less in the excellent category, which doesn't bother me, because that isn't where we have management options. But, the point being is that the change is slow, and it's indicating that we're heading in the right direction. We went from 26 percent poor in 1936 to 16 percent. That is 53 years. That shows that we're moving in the right direction. We have got an approximately 66 percent of our range and actually where we can do management. Okay? Also, another indicator -- we can't take total credit for this -- is that the range is improving, and we do this in coopration with our Fish and Game partners, the Fish and Wildlife service. We've had some direct increases in wildlife population since the 30's, antelope up about 112 percent, bighorn, 435, deer 30 percent. Deer is more constant. They can use a wider variety of habitat. They're tougher. Elk is about 800

percent, moose nearly 500. The idea being, we're on the right track. What are our goals? Our goals in the range program are three basic goals. One is, we want to have approximately 75 percent of the riparian and wetlands in a mid to late Seral stage by 1997, at approximately the turn of the century. In other words, we want to have our management up in the next seven to ten years in those two categories, and that is an attainable goal. Secondly, and that's where the most wildlife production is and that's where everything else is, the other management options are in the potential condition, we want to increase to 40 percent, or nearly 68 million acres, by 2009. The idea being, is that these are the top two categories, and, really, where we'll really have an increase is in the late Seral. That is where our goal is set. The next one, and the most important to me, is that we push down the numbers in the poor category, or the early Seral, to around the ten percent mark. I've been told by Billy Templeton and others that eight to ten percent is probably all we'll ever get down to because you have natural disasters, whether it's fire or something else, you'll have bug kill or something. If we hit that ten percent

goal, I'll declare a victory. Another point is repairing habitat. This probably does not need much of an explanation, and it goes from left to right. If we can improve our riparian areas, we not only improve vegetation, whatershed conrol and other things like that, soil stabilization. There are a lot of benefits, not only to the livestock community, but to the wildlife and everybody else, if we have a good, solid riparian program, and we can do that. Here is the trend line, and this is where I hope my successor, or whoever, can walk in here and say, "Billy Templeton, Mike Penfold, you were right. Dan Talbet, you are heading in the right direction." The trend on the top chart, out to 2009, is up. The most important one, which I'm facing right here -- here's where we started -- we want to move that down to ten percent. That's the trend line, and that's what takes us down to the Diamond Jubilee Goal Grazing Act. We in the range program have about $35 million this year. We feel we can attain those goals with some modest increases over the next few years, and we need to shift our priorities a little. We need to maintain, or, actually, lessen, our administrative costs -- those are the bookworkings, the everyday deals --

because I think, even when we expand, as the process should go up, we need to concentrate more over in the monitoring program, is the livestock industry's insurance program. If we have good data on good range management, if we have good monitoring, good data, nobody's going to run you off. Where they're running you off now is where we don't have the data to back up what we're doing; and, over the longrun, if we get a good, solid monitoring program, that's the insurance policy for the livestock people. And, when I heard bud Eppers accept, I said, "I've made my point", because he was a tough one to convince. Another thing is, we've got to move money over to the improvement area and project planning so that we can have some range improvements, because we may have to have alernative water sources developed to get those areas back up, and we need a few more bucks in that area. It's not a major increase. If you'll notice, it's roughly $15 million, and, by Washington standards, that is not a rocket, it doesn't set off a rocket. We will probably ask for a number near there next year. Whether we get it or not, Congress will have to say. And, with those numbers running, what is it, for the next --

up to 2009, we feel we can meet our goals. And, so, Mr. Chairman, that's the last slide, isn't it? So, in a nutshell, that's our range program. The reports in front of you, I have given this report to the environmental groups at the American Wildlife Conference. I gave a nutshell, with not all of the slides in it. I've briefed the Public Lands Council last Tuesday in Washington. Bud Eppers was there, along with the other leadership, along with Pat Neal, the newly Executive Director of Public Lands Council. And I think we've presented it and we've finally found the tool that we can put a partnership together with the livestock community, and I think we can put a partnership together with many in the conservation community. So, with this, I'll be happy to answer any questions, or pass them off to Billy or Dan or--

JAMES E. BOWNS: I'm really pleased to see this. This is what we needed for a long time to tell BLM's story, and I commend you and your staff. I'd also like to make one comment for you to consider, and that is what we talked about. I see the term "range land" in here, but I see in BLM's documents the term "range" as synonymous with livestock grazing; and I'd like to comment

that range is a kind of land and not a use, and I would like you and your staff to consider changing the term "range" as synonymous with livestock grazing. And I would like to comment that range is a kind of land and not a use, and I would like you and your staff to consider changing the term "range" to your grazing program and let range represent that kind of land that's -- and use "grazing" in place of that. And that's the comment I wanted to make.

CY JAMISON: I think that's an excellent point. We've got to change the perception of the livestock industry on public lands, and there's a lot of these nuances that we need to start building in, and we might as well start building them in right now and take the heat that's coming with them and go on. I agree.

MATILAND SHARPE: Well, as you know, Cy, I think that this is a very positive step forward. I've often felt that the Bureau, overworked, underfunded, undermanned all of these years, has sometimes adopted an understandably defensive posture when the news was bad; and they were criticized, but I think this represents the opposite approach in looking at the situation on

the positive side and saying, this is the way it is. In fact, it's getting better. We could do better and should and want to, and these are the resources that it's going to take to get us there. That's something that I think the entire public range land, conservationists, wildlifers, ranchers get behind. Further, I wanted to commend you and the entire Bureau and staff on that. Further, I wanted to udnerline and agree with you on your observation that the monitoring program is the livestock industry's insurance program. I think that it's also our insurance program. I think it's an insurance program with people with wildlife interests, for people who have over many years wondered if perhaps the grazing levels were too high. This program, through active adequate, sufficiently frequent monitoring is going to give us objective answers to those chronic, nagging questions that have bled off so much of our shared effort and time over the years. And I think that's going to end up being a good process, good for politics and, of course, good for the resource base. So, let's get on with it.

LEONARD PURDY: Since I am a user and closely tied to the range land, I'd like to

make just a couple of comments, and I do agree with everything that Maitland said. I would like you to realize that it's a slow process, so, you know, like, as you said, it takes a long time to see the change, particularly in the low rainfall areas, so we've got to keep in mind that it isn't going to happen overnight and we've just got to work at it every day, and hopefully that we're not being criticized too much as you go along, because some people want to go out tomorrow and see the change happen. And I also commend you on the fact that you are talking about lowering your administrative share of the pie. And, as I understand, there will be more put into monitoring and on the ground, and that has been one of the big livestock users' complaints, we thought there was too much paperworking going on and we needed a little more money being in the monitoring part of it and the on-the-ground improvement, and you have to have improvement as we go along to make it work.

CY JAMISON: Mr. Chairman, may I comment on that? This is precisely the point I was making by putting in the time sequences, the precipitation charts. It's going to take a long time, and we, every one of us, is going to have to

sell this. We have to tell them it's a slow process. And the other part of the equation is that we're heading in the right direction. If we get just those two points out, we'll be winners. And I'm gonna be out there beating on this drum up on Capitol Hill every chance I get.

LEONARD PURDY: I think the livestock industry fully supports this program, Cy.

ROBERT L. FLOURNOY: I speak with the same reason to Bud. I believe I can say, keep up the research program, do a lot of your monitoring, keep your documents and keep them on record to compare years of use and purposes and the gains you've made. And then, number one is, remember there's food and fiber together out there on that range, and that should have a pretty high rating among all users, as well as your multiple users too.

DONALD BUTLER: Cy, I want to comment. I think it's great, and I think, coming from Arizona, they appreciate this report, and I guess I would ask that -- I feel badly that we had all of the television coverage on the Memorandum of Agreement, and I think that this is equally as important and nobody's here.

CY JAMISON: That's not true. We had in Washington Pam and Billy, and I think everyone. We had nearly 90 show up on Capitol Hill on the Public Lands Council.

DONALD BUTLER: I understand that. I think those people here knew, but it's the community of, say, Tucson and, say, Phoenix that would be looking at the media coverage. They're the ones giving the livestock people and the range people a bad time. We need to give them this press.

CY JAMISON: And I agree with you, and the plan is -- we kind of kicked it off at the national level in Washington last weekend, and now we're going to put it down to each state level and we're gonna ask them to go to the media locally; and I would give this thing a thousand times if they'll let me, and we'll do whatever it takes to get it out and get it down to the ground, because it's a good thing to sell.

DAVID W. DELCOUR: Any further questions?

JAMES E. BOWNS: Would it be possible for those of us that could do this type of thing, have a set of those slides so that we could help you, Cy?

CY JAMISON: You tell me how many you want, and we'll get them. Just get ahold of Billy or Dan and we'll take care of it. We're gonna try to get a PR package out. That was the outreach, wasn't it, Dan, to shuttle this all the way down to the field with a package and slip charts, slides and the whole nine yards.

DAVID W. DELCOUR: Okay, thanks very much. Well, we gained a little ground, I think. I'll call now on Mike Penfold, the Assistant Director for Land and Renewable Resources, to bring us up to date on the bycountry's byway program. Would you rather do that up there or here?

MIKE PENFOLD: I'm going to have a video tape here in just a minute, but I want to touch very briefly on a couple of initiatives that kind of fit in the totally public-private relationship thing that we're trying to strengthen. We've got a real neat letter from the president this week, so I want to touch on our recreation-fishing initiative. What we've been working on with the U. S. Forest Service and the Sport Fishing Institute, the American Fisheries Society, the American Recreation Coalition, which is kind of a recreation

business organization, and the American Fishing Tackle Manufacturers' Association is the idea that people benefit from recreation fishing and we're better off having kids out there fishing than we are having them fooling with drugs in the city. And so we just signed an agreement with the U. S. Forest Service to emphasize recreation fishing, and I have a letter here and I'd like to just touch on it for just a minute. "I am pleased to send my warmest greetings to the Forest Service and the BLM on entering a historic recreation fishing partnership. This agreement is designed to promote improvements in recreational fishing territories, managed by each agency that affects more than one-fifth of American land mass, nearly half a billion acres. It is welcome news, not only to the avid anglers in the United States, but also with all of those who cherish our environment and the wildlife that inhabits it. This new partnership reflects my administration's commitment, managing the resource lands so that future generations of Americans will be able to enjoy our priceless national heritage. As a fisherman, I'm delighted to know our public lands and the national forests will be able to provide more Americans with children

having a fish on their line." Signed, George Bush. So, we're really pleased to have that letter, and it's really good to see these businessmen come work with us to improve the fishing opportunities on the private lands. Now, the main thing that I would like to visit with you and bring up and have your advice on, if you would have advice, if you have some later on in this meeting on our backcountry's byway program. This hatched out of President Reagan's Outdoor Recreation Commission that looked at the status of recreation in the United States and outdoors. The commission found that, I guess, Americans are great explorers, and always have been. I guess it's kind of part of our spirit, that driving for pleasure is a very major activity that Americans like to take part of. Forty-two percent of us drive just for the pleasure of exploring what we can see, seeing what we can see while we're driving. So, the Bureau has embarked on a program which we call, "Recreation Byways", to help people explore the back country, and we have registered in 11 western states some 34 byways; and the system is based on existent roads that are already opened and we have access and rightaways for, often

county roads. And these areas are in very nice and scenic places, and we'll show you some examples of one here on a tape. The purpose of the byways is to help the public have a very enjoyable recreation experience on the public lands; but it also has a parallel purpose, and that is to help educate people as to what is in these back countries. Now, we're getting a very urbanized population, and a lot of people don't really understand what working land is. We have excellent interpretive programs at the national parks and at the local parks on natural things, but we don't have a whole lot of interpretation on working land; and, as our population becomes more urbanized, we should take opportunities, we believe, to help educate them to what is going on out there. Cy was telling us the other day he was talking to an urban school class here recently, and he asked the grade school class how many kids in that class had seen a real live horse; and, do you know, there was only three kids in that grade school class that had actually seen a real live horse. I don't know whether back country byways will actually help those kids, but certainly it indicates how urban we're getting. So, in addition to having an enjoyable drive and

seeing some scenic country, we hope that, by interpretation, it will give people a chance to understand what working land is and how products are introduced. Now, what I'd like to do is show a very brief video tape and kind of bring you up to the status report to where we are and problems we're running into, and then we'll see if you have any questions. Will you roll the tape?

(Tape shown.)

MIKE PENFOLD: Okay, that's kind of a status report. We've been busily briefing various organizations on back country byway programs and getting generally a fairly enthusiastic and excellent support. Farmers Insurance has been helping us to become partners. The American Farm Bureau is also interested in becoming a co-sponsor of this program. We dedicated one highway in California, and our big national kickoff is coming up in Nevada in April. Isuzu is now an American manufacturer of vehicles, and they're coming in as a partner. We're working with a Memorandum of Agreement with them at the present time for some challenge cost-sharing for some of the interpretive

work that needs to be done. Chambers of Commerce have been giving us very positive feedback on this. I think they see that some of these back country byways can have some positive economic help for some of our rural areas. We started very quickly on this program, and probably too quickly, now that we look back, because we hit a couple of hard bumps in the road, and we think we saw the back wheel of our wagon go rolling in front of us once or twice. So, we kind of had to stop and take another look at where we were. What we discovered that we'd done is that we'd briefed national groups and we had not done an adequate job of telling some of the local landowners who owned lands or who had grazing permits adjacent to the back country byways that we were looking at what we were doing and what it's about. They had some concern about fear about hordes of people that might be coming down these roads, and I don't think that's gonna be the case, but several legitimate concerns that really needed to be talked out. So, we think we didn't do quite the job -- well, we told people at national quite a bit, but we didn't do our job on the byway-by-byway basis to the local people. So, we're going back and we're

trying to strengthen that part of our program; and what we're doing now is establishing blue ribbon committees for each byway. So, we'll get the appropriate people together to discuss how that should be managed, the potential effects of those roads and how that should be mitigated. We're also going to be talking very specifically with our Multiple Use Advisory Boards and our Grazing Advisory Boards. Some cases haven't been adequately folded into these cases, and, in particular, individual land owned by individual landowners, trying to let them know where we're going on this program. So, I said the national kickoff is going to be in Mesquite, Nevada, the first weekend in April, and we would be delighted if any of you could join us for that activity; and I think it's going to be a great deal of fun and be part of something that's very significant, I think, happening. So, if any of you can join us in Mesquite the first week of April, please do. There will be additional activities in some of your own states as these byways are brought on line, and we hope that you can participate with them too. So, David let me stop there and see if there's any questions.

MARK MURPHY: I'm a member of a group that seems to be growing more and more all the time, and that's people who are riding dirt bikes and mountain bikes and that type. In looking at your list, I only see one, I believe, type 4 back country byway, and it's limited to snow-mobiles. Do you foresee additional type 4 roads?

MIKE PENFOLD: Definitely so, and also dirt bikes. We have got one trail opened up last year on mountain bikes, for example, and there's just incredible interest in that, so we see the potential for all different kinds of opportunities; and what we're going to do is slow down the program, take a more careful look at where we are gonna go in the next step and make sure we talk it out very carefully with people who are interested in that particular activity and direct it that way.

MARK MURPHY: Have you ever had discussions with the Forest Service, for example, in coordinating your efforts with them?

MIKE PENFOLD: Yes, in some areas. The Forest Service has a somewhat parallel program, so we will have some back country byways that will also go into the national forests.

CAROLINE S. MADDOCK: Will you be using some of the local advisory boards and also the local recreation groups that are interested in suggesting perhaps byways?

MIKE PENFOLD: That's exactly right, and these -- between our multiple use grazing advisory boards and these blue ribbon committees, what we need to do is get the appropriate groups better locked into what we are doing. That's where we didn't do the job in the first place. Ray Brubaker just gave me a presentation that he just made in Wyoming to his state officials to help them understand what it's about. So, we are doing a lot of activities. Let me pass this around.

CAROLINE S. MADDOCK: Can we get copies of that too?

MIKE PENFOLD: Yes. As a matter of fact, I've got half-inch tapes here today. If somebody would like to take one home with you, they would be most welcome to.

MAITLAND SHARPE: Mike, last week when I met with the president of the Nevada Cattlemen I heard about some controversy that had arisen in connection with the back country

byways that's planned for Nevada. One of the specific problems there apparently has to do with the fact that the road, as I gather, goes through a number of wire gates, and the local public land ranchers in the area are concerned that they prove too challenging for some of the recreationists and the gates may not get closed again on an absolutely regular and reliable basis; and, at least according to their understanding, there was no money available to put in cattle guards, or otherwise solve that problem. It's a sort of a high level specificity to ask you to deal with.

MIKE PENFOLD: As a matter of fact, we've heard quite a bit about those cattle guards.

MAITLAND SHARPE: I think it's going to be an important issue, and I'd just like to encourage the Bureau to try very hard to find the money to put in those cattle guards, lest you get this program off on the wrong foot.

CY JAMISON: Mr. Chairman, if it isn't out there, Billy, it should have been out there already. They're working to find out where the gates are and how many need to be replaced and

just how to go about it. This should happen before the kickoff.

MIKE PENFOLD: I tell you, Maitland, that's a good example of where, if we'd have done a little more talking earlier on, we would have had that solved. So, we've got another issue over there right now. One of the native Indian tribes has some concerns about the back country byways, and we will need to sit down with them and chat a little bit more. This is a very positive program. It's not free from some troubles and it does look like change to some people, I believe, but I think this could be very positive.

DONALD BUTLER: I just have one thing to say to Mike. I was a member of one of those national organizations that came out and said, "Put the brakes on until we really find out what it's all about," and I guess -- I think your challenge this morning of asking how many of us have contacted BLM, and I would reverse it and say, "How many of the council have been contacted by BLM in regards to back country?" It's the same --

CY JAMISON: It's a two-way street,

and I think we didn't do a very good job and I thought we were better informed out there than we were. So, we pulled back in the reins, and I think Mike lined up -- lined up what we were doing from now on; and I told the same thing to the Public Lands Council, and I think we've got a gentlemen's understanding now. We got behind the eight ball there, and I hope it doesn't happen again. It's a two-way street, and we didn't do our job on our side of the street.

DONALD BUTLER: I was delighted to hear Maitland's remarks and to get the remarks that you have got cattle guards going out there, and it is a team effort and we've all got to work together to make it work.

CY JAMISON: I agree with you, Don, thanks.

DAVID W. DELCOUR: Caroline?

CAROLINE S. MADDOCK: Do you have maps available here on the byways, or am I missing something, particularly on the Mesquite one?

MIKE PENFOLD: Caroline, I don't know whether we have one on the Mesquite one, but you do have a brochure here that I can give you a copy of, and if you'd like one on Mesquite we can

get you one on that. If there's no further questions, thank you very much.

DAVID W. DELCOUR: Thank you. I will call Cy Jamison, report on the oil and gas leasing inspection and enforcement program, and we have it in a written report as well.

CY JAMISON: I will do everything I can to get you back on schedule today. Mike, will you do the honors again?

OIL AND GAS LEASING INSPECTION AND ENFORCEMENT

CY JAMISON: Let me highlight. As many of you were aware that Dave Schaenen was here. I keep him daily informed of this, and we're good friends. We've been beaten about the head and shoulders by the general accounting office, the Inspector General and, recently, the Select Committee on the Indians, that BLM has done a lousy job of monitoring, and the bottom line is inspection and enforcement of oil and gas on Indians' and on other federal lands. And what I've tried to do here is also frame the picture for the non-oil and gas expert as to what really

is out there in oil and gas country and what we really have to do when we do all of the things we're supposed to in monitoring oil and gas operations on federal lands. Mike, will you get the first one there? If we take a look, here is what we have, federal leasewise, approximately 23,000 oil and gas leases; and, of those, you can see that about 3,800 are Indian leases that we monitor as a trust responsibility, and the secretary has passed that down to us, to the Bureau of Land management. Here's what we have to do from producing leases. We have approximately 19,400 on federal lands. There's about 3,700 on Indian lands. Move that over to producable oil and gas wells, about 55,000 on federal lands and about 9,000 on Indian lands. Over here, the production is important to note. We have about 900 billion cubic feet of federal lands and about 103 off of Indian lands. Over on the oil production side, we had about 140 million barrels off of federal leases and on Indian lands at least 17 million barrels production. Also, I want to hit a little caveat that is very, very important, and that is about, of the wells, 75 percent are stripper wells, 10 barrels or less a day; and what I'd like you to

also remember, it takes us approximately the same amount of time to monitor a stripper well as it does a well that is producing 400 barrels a day. We monitor oil and gas operations in three distinct phases. The first one is when they poke the hole in the ground. That's on drilling inspection, and we're involved from day one. We monitor the equipment, we monitor site preparation, i.e., are there berms around their pond, their catch pond there, is there a clean operation, are their roads put in right, are they tailing their drilling wells right? You name it, we take a look at it at an inspection. So, that is phase one. Phase two is the production inspection. We'll go into a bit more detail in a couple of minutes, but it's also important to note that, after the well is in and producing, we have to make sure that all of the production for it is accounted, i.e., is every business monitored, oil and gas coming out monitored? We measure the tank. We do a whole host of things, and also we make sure that there's no circumventing of meters, if the meters are sealed and if the meters are accurate. And then, the last one, as I mentioned earlier today, the last part of it is that we, at the end of the life cycle operation, we also have

to monitor the abandonment; and we're getting beat about the head and shoulders, where the IG has said that you have an unplugged liability out there because of a host of unplugged wells. We have let many operators proceed with just temporary plugs, and they said we should plug it off. And, on the other hand, we have the national energey strategy being developed by the Secretary of Energy saying that we should only put minimum plugs in case we want to go back in for yet-to-be-developed gas recovery we could do it at the least economical cost. I also want to state at the same time that there is a transfer of fluids. In other words, if we saw our gas going into clean water, we would plug those formations immediately. So, from a health and safety standpoint, we try to look at that. So, those are three things. Let's go back to a sample inspection. Many of you that work in the oil patch, well, this is very elementary, But we deal with perceptions, and we have to deal with that in Washington, D.C., every day. We have to make sure when we do an inspection that no oil or gas can be diverted around the medium system, and we have to make sure that all of the systems are sealed. If you are familiar with your power box

at your house, the outside, there is a little wire seal with a little lead sinker on it that's pressed together on it. We have the same things out in oil well country so that we know when the seals have been broken. We have to make sure that the meters are accurate, and we also have to make sure that the equipment is up and operating efficiently. We don't want to lose any product there. So, that is a very detailed, time consuming effort, if we went through every one of those steps at every site every time we stopped. We don't do that. Usually, we have indications at what level of inspection is needed. We have inspection priorities, and they make sense. We may have to revamp them a little bit, considering the Indian issue, but we want to go on inspections where we have the most opportunity to lose revenue. It makes common sense. You check where your biggest dollar volume is, and we do that. Secondly, we also go out and watch for the highest potential for environmental damage. That's also tied very closely to public health and safety. Is there a sour gas well that we have to monitor more closely, is there any health and safety problems for the operator around there or for the public? And, also, moving up into

another category, have we had trouble with the operator before, or have we had tenants, say, that they're going around the meter, they're draining the tank, or whatever. We operate on those. So that kind of sets up what we call the triggers or the bells or whistles in the reports. Very important slide, as far as I'm concerned, because this tells generally the story. Every year, we monitor 70 percent of the gas that's produced on federal land and 40 percent of the oil. The flip is just the true in Indian country, we monitor 40 percent of the gas and 70 percent of the oil production. Now, there's no rhyme nor reason, really, to apply, it just depends on the wells as to what we catch every year. Another key point is, over a three-year period, with 107 inspectors, that is all we have nationwide, we catch 100 percent of all of the production over a three-year period. So, in a one-year snapshot, that's what it looks like. On a three-year period, we catch it all. Here's where it tells how many places we have to look. We have about 28,000 gas meters to monitor; and, of those, about 1,700 are Indian. We have oil meters, about 1,400, 300 of which are Indian. And, of storage tanks, we have

25,000 estimated, approximately 5,000 on Indian land. Totals 55,000 points of production that we have to check. Okay, if we find something's going wrong or we find a problem, do we have the authority to do follow-up; and the answer is an unqualified yes. I want to first start off, and then back-track. I'm not aware where we've ever cancelled a lease, and that's the first thing that the senators asked me the oher day is, have you ever cancelled a lease, and I said, no. And I said, Senator, let's back up a little bit and take a look. We have both civil and criminal penalties. Our civil penalties last year amounted to around $600,000. The average fine is $7,500. The key point is that most oil production is in a unitized field, to my understanding, and when we get down to where an operator is in such bad shape he's either going bankrupt or whatever, the bank pulls his bond; and, when they pull the bond, he's out of business. And that lease is probably going to settle up in Chapter 11 or 13 or sold to someone else. That's my opinion why we don't have a lot of lease cancellations. It's picked up by another person. But we have that authority. We can cancel the lease if we want to, so we have a

lot of enforcement to it. Now I'd like to go through this next section of the report, because I'm gonna go through it and highlight the issues that have been brought forth as issues both by IGAO Select Committee or identified by ourselves. The first one is, is there an issue with ambiguity with respect to BLM investigative authority on Indian lands? Technically, when you read all these manuals and these instructions, it said -- if you really got down to it, we probably didn't have that authority. We do now. It's been delegated by the secretary. The next one, it says under "Issue", "Issue: BLM must rely on purchaser measurements of oil sales." But it's not all bad. They have just as much to lose in giving false numbers as we do. So, what we want to do is put more emphasis back on the operators to check their records and to do more checking themselves. It makes sense from their business standpoint, and it makes sense from us. When we get back a little further, I want to show you the magniture of some of the suggestions that's been made up on the hill. The next three or four really tie together, and I'll go through them quickly. Policy guidance to the field level from BLM headquarters and field

offices are lacking. That's really the thumbnail sketch. It said that there is poor coordination between BLM inspectors -- these are guys that are out there checking the oil wells -- and BLM law enforcement. And there's a grey line between when an issue is a law issue or is it a program management issue? And there wasn't consistency throughout the Bureau where one patrol engineering tech went out and he looked at a deal and he told the area manager and he called the guy, and he fixed it and that was the end of it. Or, another one, he went and gave it to a law enforcement guy and he went out and gave them a ticket. So, there's a whole host of things there. Also, on Indian lands, there was no place where the Indian allottees knew where to go to in the BLM to report the theft that they felt was happening on their oil and gas leases; and that has been taken care of. There's an identified person on every reservation to every allottee; and, also, we notified them who those persons are to contact. So, I think we've opened up a line of communication a little better there. To continue on the policy and guidance thing, and this gets very personal; and I can't say much to the

public, but I'll tell you what I can. Koch Oil, one of the major operators in Indian country, has approximately 950-odd either agreements or part share owners, or whatever, and there is alleged selective Indian report that Koch has ripped off the Indians, and they turned over a whole host of documents to the U. S. Attorney Justice Department; and that is now in the U. S. Attorney's office in Oklahoma for their disposal. We have done a very vigorous look at the Koch operations that we're responsible for. And, of those 900, I would guess -- 950-odd -- any rate, we looked at probably two-thirds of those; and, as of today, we have not found any smoking guns, but we will continue to look. Back on this, improvements needed to insure operators can comply with environmental requirements. GAO really hit us on the revenue side, and the IG really hit us on the environmental side. They said, well, now you're spending too much time on the revenue side, you didn't care -- didn't look at the environmental issues that were taking place in the oil pack. So, what I'm trying to say is that we have to balance out all three of those, whether I'm looking at environmental issues, production issues; we have

to try to balance that program out. We also had a very vigorous training program. We trained every PET, patroleum engineering training technician, on what to look for on the environmental side, what to look for on the production side, so they can report back. They know what to look for, and we have a better system now to identify.

Issue: Inadequate assurance of production accountability and priority for Indian inspections. We're taking a look at this just to try to put this issue to bed and maybe making it mandatory, making it a mandatory policy, that every leasee is inspected. When you do that, it just limits the number of inspections that we have to take away from somewhere else. So, if this is a policy call, maybe it is in the best interest. I'm waiting to hear.

Issue: Inadequate support to field, resulting in inadequate program implementation. This is kind of across the board, and I want to tie it in with lack of managerial technical expertise had led to variations in program implementation. They have variances in their program in New Mexico and Montana. Montana does it this way, New Mexico does it this way, and they're

both working with Chevron; and they say, you're talking on both sides of your mouth. So, we're trying to get that leveled out. And we've also had all of the managers in for some training, or will have, so that we can try to get consistency throughout the Bureau. I'm rushing through some of these things.

Issue: Improved iner-agency coordination needed for effective enforcement, and then the next one ties right in to this, Indian lessors require better understanding of potential theft problems. And the bottom line, improved coordination with industry needed to improve site security on federal leases. We've done a lot here. We have what we call a tri-partite group that's in Washington, the BIA, the MMS and ourselves. We rotate the management leadership of that, and we try to build a better relationship with the BIA and with MMS; and we've had a lot of outreach efforts, and I want to applaud the efforts of MMS to develop a committee that monitors their accounting procedures, and it involves a lot of folks from the Indian community to tell them how this system really works. Secondly, and it's really important, from my aspect, is that we need to get a report, quote, unquote,

run tickets into those individual Indians' hands so that they know what they're getting from oil and gas rights. Right now they're getting a check from the federal government that includes their housing assistance, their medical assistance and whatever else, and their oil royalties, oil and gas royalties, and they don't know which is which and which is how much. So, we need to get a readable form out to them to do that. Another one is working with industry through the American Peroleum Association and the independents to develop a better site security process, and also to cross-train each other, because it's of benefit to them too. We've worked with them and have some joint training sessions. The next recommendations all come from the Select Committee on Indian Affairs, and the first recommendation was to transfer inspection responsibilities from the BLM to the MMS. So, we disagreed with that, and so some of the other ones don't tie in too good because they were premised on the first one, and we didn't accept the first one. We disagreed with their first premise of transferring oil. I worked on the problem of the format, and the idea was to get as many of these functions in one place as

possible, where we had on-the-ground managers tied with the leasing operation; and we feel that this would divide the issue probably further and it makes it more complicated. Also, I'd like to say that MMS, they have inspectors off shore. They're behind on their inspections too, so I don't know what they would gain by transferring this. So, we disagreed with that. Number two here is, establish requirements for information on run tickets and require corporate officer to verify run tickets and criminal penalties for false statements, forgeries, failure to maintain records. Folks, this is a major paper work load, if we ever saw one. I'm told that if you look at every transaction in the oil country we're talking about 1.2 million transactions a year. That is a lot of pieces of paper, and who signs that report? They said it's a corporate officer. Is it a guy that's a field officer, is it a guy that's running the tank truck, is it the lease holder? You know, you really have to define who that is, and, really, do we gain that much information from picking up the run tickets every time? We feel that we monitor enough that if we see a blip go up there that gives us a clue to look. Considering trying to

experiment, we have good cooperation in Oklahoma to try to experiment mostly on the reservation there, and it seems like the operators want to take a look at it; and, looking at the work load, we'll see if that's a possibility to pull it together. We will take a look and see if there's any benefit. Right now I'm saying no. Require certified annual reports and purchasing of long and short figures. I'm not an oil-gas expert, but I'm told by my friends in the oil-gas industry standards are about one percent either way. If we see those jump out, we're gonna go in there and look immediately. That is a red flag, if you ever get one, that something is amiss. And I don't know what we'd gain by having certified annual reports on short and long. If it's out of whack, we're gonna go in there and look immediately. And, if you guys are short, you're gonna go in there and look too. I don't know what we're gonna do about that. Establish a joint working group between the Department of Interior to exchange information, and we're moving along toward that. We had some problems with our folks who testified beore the committee, just did not handle it well. In fact, Senator Deconcini asked if you knew where

to report the theft, and our guy said, no. And I suppose the FBI, and I don't know how to get ahold of the FBI, and he held up the phone book and said, "It's printed on the first page of the phone book where to get ahold of the FBI." So, I mean, that went from bad to worse. We're trying to build that relationship back up. Number six, amend the Federal Oil and Gas Royalty Management Act (FOGRMA) to eliminate the cure for civil penalties and to clarify that civil penalties can be issued for, among other things, underpayment of royalties, whether intentional or otherwise, and failure of parties to provide records to MMS within a reasonable time period after MMS demands them. The way the system works now is that, if we find a problem in the oil-gas, we call the operator up and say, fix it. And if he doesn't fix it in X number of days, then the fining starts. We feel that this is a good-neighbor policy. Most operators are prudent and they find the problem, they fix it themselves; and, if not, then we can lay it to them. The key point is that I said that we had some habitual offenders, and they continue over and over and over again; and we'll start socking it to them.

but I would defer to the good-neighbor policy. It makes business sense, from our standpoint too. Number seven, and we're getting toward the end, is amend FOGRMA to allow MMS the power to cancel, under certain conditions, Indian federal leases if leasees violate lease provisions and such violations lead to royalty unerpayment. We do not agree with the first premise, so we do not agree with that. Eight and eleven are the last ones that apply to BLM, amend FOGRMA to allow rewards for information leading to recovery of royalty and other payments on tribal allottee and federal leasees. I don't have a problem with that concept, because I just don't believe we ought to amend the law just to change it for that one aspect. There are some other ways I think we can work with it, through industry, to get an award sysem going, and look through some other legislative matters. And then the last one is, provide MMS authority to issue penalties, cancel leases under certain conditions, provide rewards, enter into cooperative agreements relative to non-oil and gas tribal, allottee and federal leases. In other words, they would give MMS the same authority over coal leases that we have, and we disagreed with that

too. So, I'm biased, I'm from the BLM, and I believe that we're on the right track and we'll be aggressive on this reporting. That, in a nutshell, folks, is a thumb-nail sketch, and I've abbreviated it by about 20 minutes, on what we're doing on the oil and gas program. This issue is not going to go away. We will probably have to ask for some more funding for inspectors, because we have 107 on-the-ground inspectors, and most everybody agrees that we could probably use a few more. So, with that, I'd be happy to answer any questions.

DAVID W. DELCOUR: Cy, I've got one question, and I find it very disturbing, the increased attention on the use of criminal law to resolve what is esentially civil disputes, or would be civil disputes if the government wasn't one of the disputants. And I'm wondering, what is the thinking here? I mean, presumably, the purpose of issuing an oil and gas lease isn't to trap someone into committing a crime. Presumably, the purpose is to develop a resource and yield an income stream to the government; and I don't understand what general accepting county principals apply to these transactions

aren't as adequate when the government is a lessor as they seem to be when any other entity is a lessor.

CY JAMISON: I agree with what you said, and that's the way we've operated. We feel it's run on a good-neighbor policy and it goes with those civil penalties. We have the authority, we have the penalties. They're on the book. If we have to, we can use them. But I agree with you, it's a business transaction. We're not in there trying to look for an oil bucket hiding in the bush, we're out there trying to make sure the product gets out of the ground and we get some revenues and people get the information. I agree with that. I have the same philosophy. They just don't happen to have the same philosophy up there on Capitol Hill.

DAVID W. DELCOUR: And I guess I'm asking why. Do you have a sense of why?

CY JAMISON: I think they feel that, if you have a law on the books or if you crack somebody's head, then everybody else is going to sit up and take notice. And I just haven't found where that's really reasonable. I don't know. I wish I could answer that. Hilary, do you have a

better answer?

HILARY ODEN: No, no better answers, except that it needs to be treated with more sternness, but I can't figure out why.

DAVID W. DELCOUR: I talked to some people this morning over the millions spent on prosecution in Alaska, and I just wonder if there isn't a better way.

HILARY ODEN: Mr. Chairman. Thank you, Cy. I appreciate your comments. You answered most of my questions, but I did have just a couple. First of all, I'm pleased to see that you're putting some emphasis on training, both on the manager's side and on the technician's side, because my perception is, and one of the major problems we've had is individual initiative and individual people in the field; and, just as one or two people can taint the entire industry, that's a bad reflection on BLM. And, the next step I see as a real problem is the inability of area sections to proceed and continue to pursue issues that are really not part of the policy of BLM or part of the districts. And I understand that that's a problem throughout the civil service and would hope that that would be

added at some point.

CY JAMISON: One of the things that I think the IG had that he brought up is that we are inconsistent because of our guidelines, which may give other people a license on authority that they did not have; and they felt if we tightened up what we actually want to do on the ground we could be more consistent.

MARK MURPHY: Just a couple of points, and I had a moment to go through this, but I was aware of the senate subcommittee recommendation to use run tickets and know how impractical that would be; and, obviously, that leads to criminal prosecution. Most managers aren't willing to risk lease cancellation. You knew of no instances of lease cancellations; I don't know either. Generally, the only threat of lease cancellations has been for lack of payment of royalties; that's generally it.

CY JAMISON: I think, on the control lease. Maybe I'm wrong.

MARK MURPHY: And the concept of taking that out of judicial review, bonding requirements, this touches both on the bonding requirements themselves and how they help plug

the plugging issue. That's our greatest resource, and part of that is one of the technical issues, the development of mechanically plugging techniques, and I hope that that will come about. It's like any development of new technology, it's going to take awhile; and I hope we don't have a mad rush to plugging these wells.

CY JAMISON: My comment is that IG reports them as liabilities, but I think you can look at them as assets; and I continued to go toward the asset side.

MARK MURPHY: There is a perception between well abandonment and loss of resources. If you're plugging a well that has potential of losing 100,000 barrels, then you've lost 100,000 barrels. What they did in New Mexico is that, if you're plugging between 10 and 15 percent of a well out, you lose the resource of the entire well, because, having to redrill those wells is uneconomical. For example, some of the major fields in New Mexico, as we approach 10 to 15 percent abandonment, the field is uneconomical. It could not be captured until you get up to a range of $70 a barrel, as far as the national trend. That's what we have to be aware of.

DAVID W. DELCOUR: Okay, thanks very much. Now we're ready for Curt Jones.

AUTOMATED RECORDS

CURT JONES: What we wanted to do is quickly bring you up to date on the automated records. There was a study that was completed three years ago which recommended that we film the records, microfilm them, index them. We've been looking at about six and a half years, from 18 and a half to 20 million dollars. While we were going through the funding aspect of this and how we find our land information and our automation effort, the scan technology was moving good. Back three years ago, discs would last ten years; so that wouldn't work. In the meantime, technology started moving rapidly, and we have brought on a prototype that can go through 163,000 records, and it has been done. We had an open house on those on January 24th for a number of people on the hill and others, both from the Washington office, and we're excited about what's happened. We've got a

partnership with the Department of Energy and their Office of Science and Technology at Oakridge to use a contractor, which we should have gotten it done within a year, which we did. We put out 85 conractors who had the responsibility of doing the work; in fact, Louisiana started this week. Looks like we're doing a number of states, meaning the western states, probably be doing their records later; but Louisiana, Washington and Arkansas, we're doing Louisiana first. And the beauty of this is, by scanning those, the information that's retained on those documents becomes available through an indexing system, whereas before we could only find them through a slow selection. And the technology doesn't exist in the public or private. The head of automation from the Mormon church was in, and he said, "You could make a fortune if you could sell this." But I want to thank you all and give you a quick update on where we are. And, in fact, Tuesday night we were honored by the civil computer. They had nominations from the public, from academia, from industry, private sectors, public sectors, and we made it; and I thought that was really neat. And it was a team effort, and I appreciate the

support of everyone, and I wanted to share that with you.

(Film shown.)

CURT JONES: Right now we're doing about 2,200 documents a day, standing index, per second system coming on line by the end of this month, which means we will be doing about 4,500 documents a day being scanned and indexed. That's with 24 indexing stations, and those are contractors that we have. That's six BLM persons doing quality conrol. So, we're very pleased with that. And this is one of the binders -- we're saving all of them that we cut patents out of -- and it gives a little facsimile of how the process works; and it has about 2,000 actual entries in it, so you can see we're going to be making this information available to the state and local government. And, also, it's got a floppy in here that you can use to put into the computer to show to use that; and it also explains how the system works. There's a little write-up on it and a copy of the first Washington and Jefferson patent. And I'd like to give this to the council, and I

appreciate your support.

DAVID W. DELCOUR: Happy to accept it on behalf of the council, and I'd like to say that I feel this is one of the real successes of the Bureau in recent years and an important program. I guess maybe we see a lot of the sizzle, and this is the steak and very worthwhile. And I might say one thing I really didn't hear mentioned, it may have been while I was out of the room, and I think one further advantage here is, not too many more years of handling those records, those records would be dust and lost for all time; so, this program has come none too soon as well, although I must say you're not going to have any more success than my kid or my secretary or anyone else in getting me to use one of those computers.

CURT JONES: We appreciate it, David. And if any of you are in town or at a meeting in Washington, you can get a first-hand feel on how the process works; and he is right that a lot of the documents are falling apart and this will cut down on the using of them, and the copies are actually better than the original because the copier can darken the colors. The

geneologists and historians are salivating over being able to research.

DAVID W. DELCOUR: You haven't uncovered any ancestral lands?

CURT JONES: No, but we've got -- I think it's kind of interesting -- you know, a lot of different works coming out. There was one thing in Arkansas we found already. We've got over a thousand unperfected patents, and we'll have to go back and reissue them because of errors made in those original land descriptions.

LEONARD N. (BUD) PURDY: Will there be a charge for some of this work you're doing, as far as geneologists goes and that sort of thing?

CURT JONES: There will be charges for copies produced. That's one of the things we're having to go through now with energy as a process of giving us a final report on the prototype and recommendations on how we are going to have users' fees. We charge now like twelve and a half for a patent, and we will increase the value. The committees on the hill are concerned with cost recovery, and we are too. We want to be pricing people out of the market that need

that information, and a lot of it is whether they're accessing it and that type of thing. Any other questions? Thank you.

DAVID W. DELCOUR: Okay, thank you, Curt. I think it is time we should break, at least briefly, into subcommittees and give you a chance to get your thoughts organized and anticipation of more serious subommittee work this afternoon. And Energy and Minerals will meet in Acacia A, Peter Wold, Chairman. By the way, if we've been somewhat presumptious and tried to guess which of the subcommitte people might be most interested in serving on and we've made a mistake, just advise Karen and have yourself reassigned to a more appropriate subcommittee. But Energy and Minerals, we're showing Cal Black, Chuck Hawley, Mark Murphy and Bob List. Land subcommittee, which will meet in Acacia B, Cecil Miller, Chairman, Sheri Griffith; and, Sheri, I wonder if we might ask you to preside in Cecil's absence. Sheri's gone, okay. Caroline Maddock. Caroline, we'll ask you to preside in Cecil's absence. He's expected at 1:30, and I wonder if you wouldn't mind doing that this morning. Maitland Sharpe and Shuey. Renewable Resources, John Gram,

Don Butler, William Burnham and Robert Flournoy, Leonard Purdy, Jim Bowns. Again, if we've guessed wrong, please don't be shy about speaking up. I think with that, then, if you want to adjourn into subcommittees. We will reconvene to hear members of the public at one o'clock.

(Break for lunch.)

DAVID W. DELCOUR: Okay, while we're waiting for Cy to get back upstairs, we need to take care of a couple of little housekeeping matters. We're passing around a membership roster. If you'd be good enough to identify when tomorrow your flight leaves, Karen will try to make some arrangements for you to get one of those Stagecoach vans here. When I asked them the amount of lead time that they required, they were suggesting two to two and a half hours before the flight, because it makes lots of stops. So, what we'll try to do, if we get enough to kind of fill one up, to reserve a whole van, that way maybe we won't have people trying to get out of here prematurely tomorrow morning. So, that's the purpose of this. The second housekeeping

item, I want to remind the public that the subcommittee meetings are open and you should all feel free to sit in any subcommittee that may be of interest to you. And, while the chairmen need to keep some order and keep these things moving, the public is welcome to participate in the deliberations of the subcommittees. The third thing is, not everyone has paid Don Butler $35 for the dinner the night before last; and, if any of you are among them, he'd be happy to have you get his cash flow moving in the right direction.

ROBERT L. FLOURNOY: It's not some of you, he knows who it is.

DAVID W. DELCOUR: That's the other half. He's indicated to me that there may be unpleasant consequences, so you might want to pay up before he lassos you. I think probably, in the interest of time, we'll let Cy catch up with us when he gets here, and perhaps we have all of the council members here in attendance, so why don't we go ahead and open the public statement period. The notice I have indicates that we have three individuals who signed up, and it's our practice not to impose rigid time limits on those who wish to make a statement, but we would ask you to

be somewhat understanding of the work load we have and not go on for longer than necessary. With only three individuals signed up, I don't think that will be too big of a problem.

PUBLIC STATEMENT PERIOD

DAVID W. DELCOUR: This afternoon, first on the list is Matthew Calliser, representing the Nevada Legislative Committee on Public Lands, who wishes to speak to us on Nevada's proposal for gradual land acquisition programs. Welcome.

MATTHEW CALLISTER: Thank you, Mr. Chairman. Board members of the council, it is my pleasure to be here with you this afternoon, and I appreciate greatly the opportunity to share with you some concerns that we in Nevada have and some proposals. I'm actually here today in lieu of the chairman of our Nevada State Legislative Pulic Lands Committee; that's Chairman Dean Rhodes, from Elko. Chairman Rhodes was not able to be here today. I am his vice-chairman for the legislature on that particular committee, and so, in that capacity, I'm here with you today. I believe staff

members are ciculating Chairman Rhodes' prepared remarks. Very briefly, and I will impose the time restrictions on myself, and I appreciate your accomodation, I'd like to walk you through and just touch a few bases, if I might, mentioning some of our concerns here, and, again, the proposed recommendation for why we're seeking your support here today. The Nevada Legislative Committee on Public Lands is very concerned that the limited land base and the state's ability to accomodate its very rapid rate of population growth and economic development in recent years, with the urging of our congressional delegation, the committee has focused its attention on attempting to develop concepts, or a game plan, if you will, for gradual land acquisition process, solely the acquisition of those federal lands for specific needs that are not environmentally sensitive for economic wellbeing and growth. I'd like to perhaps give you a little sense of historical background from the State of Nevada's point of view. Nevada, like most other states, is a public lands state, in that much of the land is owned and managed by public agencies. In Nevada, only about 13 percent of our land is in private ownership, less than any

other state. Historically, the time the state was first created, the Constitutional Enabling Act in Congress required that the state constitutional convention disclaim all rights to unappropriated public land in Nevada; and the state constitution provided, therefore, that the people forever disclaim all right and title to the unappropriated public lands. By the year 1900, there was only 43,000 people residing in the state, some 13,000, a modest increase, since the state's incarnation. However, today we have some 1.2 million, and 400,000 of those 1.2 million residents have moved to Nevada within the last ten years. It's very rapid growth, and we are in great need of additional public lands to be transferred into private hands so that we can go on about our growth. Also, historically, as we mentioned on page three of your materials, the acquisition of federal lands is a checkerboard procedure, where railroad land provided for alternate sections for 20 miles on each side of the railroad right-of-way. In other states, as they developed the alernative railroad sections, moved into private ownership. That occurred in Nevada; however, because of a lack of demand in that

particular point in time, very little ended up in private land. The railroad today retains about 3.5 million acres, and the alternate federal lands are retained by the federal government. Again, our current land status finds that the BLM controls 69 percent of the state. A substantial additional portion is used for military purposes, nuclear testing, which I'm certain you're all familiar, some very limited national forests and wildlife refuges and appropriate multiple uses on the public lands. Taxable profit base is still quite small, with only about 13 percent of the total state acreages on tax roll. That's an enormous concern for the State, as you well know. Decisions, unfortunately, that most all of the lands in Nevada, are usually made outside of the State of Nevada by folks who may have little understanding of local conditions or needs. We mentioned the population pressures. There was 63.8 percent growth between 1970 and 1980, increasing from some 800,000 in 1980 to an estimated 1.2 million today. The rural areas, as well as the Las Vegas area, also is growing rapidly. Mining has grown and developed, and there's a boom in that area. And we've got a continuing problem, we've got housing needs due to

the ongoing mining boom. Let me just talk briefly about what the state efforts have been. During the '70's, a lot of Nevadans felt that perhaps the state had been short-changed by the initial -- at the time of statehood, by the federal government, due to the small amount of lands that were granted to the state. Let me give you a sense of comparison. Nevada has received only 3.9 percent of its total area in private lands. This amount is at least the smallest percentage granted to any public land state. In contrast, Arizona, New Mexico and Utah, states most nearly comparable, I would suggest, in terrain and topography, have received about 11 percent of their total area. The studies by the legislature conclude that an additional land grant of about some 6.2 million acres from the federal government would place Nevada on a reasonable par with those sister neighboring states. During the '70's and early '80's, the Nevada legislature used a number of things to justify several requests to Congress for an additional land grant. However, Congress did not take action at that time. In addition, with the induction of Federal Land Policy and Management Act of 1976 and other lands legislation,

Congress formally shifted the basic philosphy of federal land management from one of disposal to retention and management. The legislature, in 1980, said again, "You have efforts to work within the federal land system and try to identify appropriate lands and try to get those released to the state." In 1983, the Nevada legislature adopted Senate Bill 40 to take advantage, in part, of the consistency language in Section 202(c)(9). This provision requires BLM land use plans to be consistent with state and local land use. Additionally, in recent years Congress and federal land management agencies, we found, dealt on kind of a piecemeal basis, with a wide variety of public land transactions. Some of those include the Arrow Jet land exchange, special lands legislation, the City of Mesquite and other communities, the Summa Corporation exchange, a land exchange specifically targeted for a mobile home park in the Las Vegas area, the Apex site legislation and numerous other very specific targeted transactions. As the state population increases, we believe that Congress and the federal agency will be subject to further such requests for private and public land exchanges

and transfer proposals. We think it's appropriate to have some kind of a blueprint, especially, again, in a state that finds itself with some nominal 13 percent of the land in private hands. Finally, beginning on page six of your material, we have an overview of the concepts proposal that we have for a gradual land acquisition process. The concept originated in discussions between members of Nevada State Pulic Lands Committee and several members of Congress during a visit to Washington, D.C., back in 1985. The conversations have continued since that time with our congressional delegation and other members of Congress, also with the secretary. These members of Congress indicated that they would look favorably and be more favorable of the acquisition of the land in the state if the proposal included a list of specific lands and the reasons why those specific areas were identified and needed. Accordingly, the Nevada Lesiglative Committee on Public Lands has focused its efforts on developing a logical and reasonable approach to land needs in the state that would hopefully merit some consideration at the federal level. Basically, we proposed three political concepts. One is that we utilize

a nationally known and recognized consultant who would work through and with municipal governments throughout the state and identify federal lands necessary for community development and expansion in each of those municipalities. Of course, one aspect of expertise, we want that aspect to be the guiding light as we meet with each individual state, municipality, city, township, to try to map out just what they need and what the best land for them would be. The second would be that we identify those lands needed for community development to accomodate population growth and to insure that suficient resources are available for those lands identified, particularly water, which is a growing concern, of course, throughout both northern and southern Nevada. Finally, we wanted to be able to propose a mechanism through which congressional legislation would be proposed to facilitate the transfer of identified lands in the state to provide a comprehensive measure and avoid these continued piecemeal efforts, very specific targeted efforts, and have a broader long-range plan. With our projected population reaching two million by the year 2,000, we simply cannot accomodate that population base on

something less than 13 percent of the state land area in the State of Nevada. The gradual land acquisition process is a proposal that would allow us to identify the needed lands for expanding our population centers, to allow the state and local governments to participate in that identification process, within the constraints of available resources. It is not an effort to gain or reacquire some large uncharted out federal lands for non-specific purpose. We need those lands for a specific purpose, and we would like to have a blueprint for what we get and how we get it and how we justify them. The Public Lands Committee has recommended some enabling legislation in the 1989 legislature that will be going before what we refer to as the interim funding committee on the finance committee to seek the financing that looks favorable. We are here today to seek your support of this proposal. During our most recent visit to Washington, D.C., last October, again the committee briefed Nevada's congressional delegation, all of whom support this proposal, as does the Secretary of Interior, the Director of U. S. Land Management, and various national public land interest groups. We are here

seeking your support, and perhaps, at some appropriate future date, if you feel so inclined, we'd be happy to work with you on some proposed resolution of support. But we certainly don't anticipate that that would happen today. And, finally, we appreciate the opportunity to chat with you. We have great respect of the people on this council, and we appreciate the benefit of your advice that we have received over the years; and now we would enjoy support from you on our proposal. Thank you for your time.

DAVID W. DELCOUR: When the council met in Elko several years ago, we considered the question of land-locked boom cities that you were having there in the area, affected by the new gold mining activity and uanble to find enough park and recreation land, new lands for new subdividions, sewage treatments and the like. What is the experience of the past three years, has some of these applications unclogged themselves at all?

MATTHEW CALLISTER: I don't think they have. I think the problem is still where we found ourselves two or three years ago, but I'm not certain that I'm the one most competent to speak

to that question. I would tell you that the problem has become exacerbated. For any of you who have occasion in the last two or three years to get back to Elko -- I know that's not necessarily the way that people go -- but Elko and Neely and Winnemucca are very much boom towns, with significant growth-related problems, still very much land-locked, in need of sufficient growth. Of course, so is Las Vegas metropolitan area. We have some 4,000 new permanent residents in Clarke County, in the Las Vegas area, every 30 days. That kind of unparalleled growth makes Las Vegas perhaps the most rapidly growing urban area. Couple that with the rural concerns that we have, a very significant concern, very pressing time constraints that have come before the appropriate agencies with our recommendations; but that's why we'd like to do it in kind of an organized fashion.

MARK MURPHY: If I understand your program, what you're proposing is a relatively new concept to me. You may have considered this, but you proposed federal lands going to the state on some acquisition basis; is that correct?

MATTHEW CALLISTER: I believe that's

correct.

MARK MURPHY: Then I assume that the next point is that at some point the state would divest itself of those lands into private hands.

MATTHEW CALLISTER: That's right. I'm not certain that -- I know that there have been, and I'll defer to our former governor, who may be more knowledgeable than I am, which is Governor List, in this matter, but I think it also can occur simply through the direct sale of a BLM auction to the private auctioneer, to the private sector.

MARK MURPHY: That's where I was going. Obviously, it would seem to me that the state then would have to fund it, and the advantage to the state, or whatever sort of era you have around there, is that you could control that with some sort of zoning regulation.

MATTHEW CALLISTER: Certainly. I think the concern is -- I think that it's understood by pretty much all parties that, when there's going to be some land released, our desire is that we don't make ourselves susceptible to this continued land exchange proposal on a one-shot

basis. We say just this land. There are two or three land swaps pending today that I've heard, as a member of this committee. In addition to that, I know that there's been, as we refer to, as my comments here, there are very targeted federal releases of land for specific puposes, for leases of lands, for new mobile home parks, developments. We think that, instead of being behind the eight ball, that we ought to be ahead of the game a little bit and have some long-term proposals and planning for what each area needs, how much each municipality needs, how did they justify that, what resource do they have, in terms of able to meet their sewer and water needs, should be released, and that's why we're here.

DAVID W. DELCOUR: Thank you very much.

MATTHEW CALLISTER: Thank you.

DAVID W. DELCOUR: Next, David Ridinger, from the Arizona Mining Association.

DAVID C. RIDINGER: Thank you, Mr. Chairman. Members of the council, Mr. Jamison, members of the audience, I'm Dave Ridinger, president of the Arizona Mining Association, located in Phoenix. Our organization, AMA,

represents the four major copper mining companies in Arizona. Last year, '89, those companies produced more than 980,000 short tons of copper, which is just about 60 percent of the total U.S. production, along with significant amounts of gold, silver, moly and other by-products, with a total value of about $2.7 billion. We employee about 10,400 workers, compared to a high of 25,000 in the early 80's. As you probably know, Arizona was the nation's leader in '89 in the value of production of non-fuel minerals, with a total of $3.2 billion. That is an increase of 15 percent over 1988, and it now accounts for more than ten percent of the value of all U.S. non-fuel mineral production in 1989. I think in recent years Arizona has been called a number of things, but please call it a mining state, because it is. My message to you will be very short and to the point. Having recently come through a hard battle over Arizona wilderness legislation and having seen large tracts of western Arizona land with high mineral potential about to be legislatively designated as wilderness pass through the House and is now before the Senate, we in our industry have great concern about the future of that industry.

The environmentalists, whom we work closely with, not only with, but in the same room on this issue, sees himself as the steward of the land, and improperly calls himself so. The miner, in all seriousness, sees himself as the steward of the mineral estate, with the obligation to provide minerals that are necessary to keep our nation and our economy strong and independent and to provide those minerals in a sensible and an environmentally sound way. Simply said, the life blood of the mining industry is access to the public lands. With the increased demand by certain members of the public for more wilderness, with ongoing attacks on the general mining law, with new proposals such as Mo Udall's Heritage Trust Act, we've become greatly concerned that one day there will be little or no access to public lands for mining purposes. In such event that current ore bodies are exhausted, mining in the U.S. could become a thing of the past. In this mineral-rich nation, that would not be good for our economy. Certainly, in recent months I've heard many people say, "Well, take the mining elsewhere." And, number one, this is outrageous, to think that we should go elsewhere when we are

mineral-rich here. And, number two, we've seen what's happened when we've become dependent upon other countries for oil, and the same thing will happen to copper and other minerals. I urge you, as advisors to our public and regulatory officials, and as private citizens, to be watchful and cognizant of what is taking place as more and more acreage becomes off limits to mining. We, the nation, need your help. Thank you.

DAVID W. DELCOUR: Thank you, also, for being the co-sponsors of the reception this evening, along with the Farm Bureau and Cattleman's and Amigos, which is an organization of Arizona businesses concerned with the wellbeing of the copper industry, I believe. Questions for Mr. Ridinger?

CHARLES C. HAWLEY: David, did you and this western Arizona wilderness mineral lands -- were those lands appraised for minerals; was that an issue?

DAVID C. RIDINGER: By BLM, for the most part, they were. There were some areas that I believe Congress didn't want to wait to have BLM address and they went ahead and wrote it into law; but, in many cases, we, through our

geologists, we made thorough analysis with information at hand. Some areas, we disagreed with BLM; many areas, we agreed. But I have to say that, when it came to writing law, minerals did not seem to be too important. And I recognize that I'm prejudiced on this issue, but I've just seen at least a million acres of good mineral land locked up that will be preserved forever, I can assure you.

CHARLES C. HAWLEY: Well, as an Alaskan, I can understand that feeling. Were most of these lands BLM lands, or were they Forest Service lands or a mixture?

DAVID C. RIDINGER: Most of the Forest Service was done in Arizona in 1984. Most of this was BLM. Some was game reserves. I don't know what category those were in, but most of it was BLM.

CHARLES C. HAWLEY: Were the proposals initiated by the BLM, or were they initiated by other parties?

DAVID C. RIDINGER: Well, BLM evaluated most of these areas and indicated that they were suitable or non-suitable, in their opinion, for wilderness land; and then our Arizona

delegation wrote the proposed legislation. There was a House bill of about two and a half million acres, Mr. Udall's. Our two senators, Mr. Cain and DeConcini, wrote one that was about a million acres; and eventually they reached a compromise, and I think, throwing the game ranges in there, there was about two and a half million acres going into wilderness, legislated into wilderness, in addition to the two million that was done, I believe, in '84.

CHARLES C. HAWLEY: Thank you.

CAROLINE S. MADDOCK: Were all of the mineral studies done, completed, on the land that is in the legislation?

DAVID C. RIDINGER: I think not, and I would ask Paul McClure if there were some areas that have not been done yet.

PAUL McCLURE: Twenty out of 39 have not been.

DAVID C. RIDINGER: Have not. So half have not been. And, in fact, that was one of the first issues, as far as the mining association was concerned, let's wait until all of these analyses are made.

CAROLINE S. MADDOCK: Congress did

not.

DAVID C. RIDINGER: They elected not to wait.

DAVID W. DELCOUR: Aren't we, as we sit here, relatively near a substantial amount of land on which most of this nation's copper comes from, which land was once found to have no mineral potential, and that's why the land came into private hands and ultimately came into copper mining? It makes you wonder sometimes what the point of these mineral surveys mean. They don't go out and adopt any kind of a serious exploration program, can't afford to do that. It wouldn't make sense anyway. Whether the surveys are done, isn't that the plain fact that we're locking up fairly substantial acreage of land whose mineral potential will never become known?

DAVID C. RIDINGER: Mr. Chairman, that's correct. Once it's wilderness, you won't take a drill rig or a prospector's pick in, and I would like to add that, during the last couple of years, during this Arizona wilderness episode, I think I've learned to answer most of the questions, but I slip once in awhile. One of the charges that has been made on this issue is that, "You

miners have had a hundred years to look at this country. You haven't gone in, you haven't mined, you haven't even prospected in some areas. Why should we keep it alive?" And I think a very good example, or, I should say, an answer to that is to look at the State of Nevada. Probably ten years ago, 15 years ago, you had two large operating gold mines here, really not a whole lot of other activity; and, suddenly, in the late '70's or early '80's, it became very potential for gold mining. Well, why has this changed? There's several factors, the price of the product, new exploration equipment, and probably equally importantly is a company having money to explore and develop. And I could go back into, say, 1982 or 1983, when the copper industry was hemorrhaging from the loss of money. If you would have said something about, "Why don't you go out some place and explore?", I would tell you that we don't have an exploration team. They're back in the field now because they have some dolalrs. So, mining, I suppose it's like many other things, it's not an exact science, but things just have to click. And certainly Nevada is an excellent example of that. But it's difficult to make people understand.

DAVID W. DELCOUR: Thank you very much.

DAVID C. RIDINGER: Thank you.

DAVID W. DELCOUR: Kurt Selby, of the Tucson Rod and Gun Club, is going to speak to us on BLM land usage.

KURT SELBY: I'm here today because our executive board, fortunately enough, called an emergency meeting. With a late delivery of this meeting, we were able to get together and prepare this statement for today. Our members of the executive board and our president were uanble to come, and so they looked around and asked for a member to show; and I happened to be that member. So, Mr. Chairman and councilmen, I hope that this will be received in the good faith that it is being delivered on. We are being impacted by sportsmen and outdoorsmen on many fronts today, particularly here in the southern part of the state, it seems. We just had hit the marketplace an anti-trapping situation, which seems to have quite a bit of emphasis, which took place yesterday in the media. We're also having some situations down in the Safford area -- to a public meeting last night in regards to the use of national

forest land. We went through this not long ago in the Madera Canyon area as well, so constantly the outdoorsman and the sportsman, whether he be hunter, fisher, hiker, whatever, is being impacted on his access and ability to enjoy the out of doors. I believe each of you have received a copy of the prepared statement; and, in the essence of time, I will go ahead and read this as carefully as possible and so it can be part of the record. The Tucson Rod and Gun Club is a sportsmens' organization commited to balance public policies for the protection of Arizona wildlife and for the protection of the natural habitat supporting viable game and non-game populations. Our over 3,200 family members represent the demographic diversity that has been a cornerstone of organized participation in southern Arizona natural resource management policy. Our members enjoy hunting, fishing, camping, hiking and backpacking in developed and primitive settings throughout southern Arizona. Our members enjoy natural scenic areas and the elusive opportunity to savor the experience of quality solitude. As sportsmen and responsible citizens, we are committed to the highest level of legal and physical access compatible with multiple

use management. Access to or across public lands, as well as access to or across private lands, is to be achieved and maintained by cooperative, good-faith negotiations. The development of comprehensive plans for the long-term management of our state's wildlife by working with public and private entities for the best balance of conservation and multiple use resource development, the fullest possible public participation at all stages of the process, from conceptualization to implementation. The Tucson Rod and Gun Club is a party to a public lands use agreement, and we appreciate the dynamics at play in our changing society. Because we are a beneficiary of a broad multiple use policy and understand the expense related thereto, we expect all conditions or terms of agreements entered into by public agencies with other private parties or organizations will be uniformly and expeditiously enforced, without exception. Specifically, we demand that all agreements and conditons pertaining to physical and legal access to public land be enforced to the maximum extent permitted by law, regulation or contract. Further, we expect, without exception, evasion or trick, that agreements for the maintenance and protection of water rights and

maintenance of water delivery systems and hardware will be enforced as agreed. The officers and executive board of the Tucson Rod and Gun Club appreciate the opportunity to submit this statement for the record. We ask that a copy of the record for this meeting be made available and, further, that the club be added to the mailing list for all negotiations, notices of meetings, programs and publications of the National Public Lands Advisory Council or any of its committees or working groups. Thank you.

DAVID W. DELCOUR: Were there any questions?

LEONARD N. (BUD) PURDY: I'm wondering, is this just a statement or is there some underlying problem here that maybe I should address; is there some underlying problem that your group is having, say, with BLM or with private ownership, or is this just a statement of your wishes?

KURT SELBY: I belive that, in regard to the meeting of this council, it was our concern that a statement of fact be put into the record, representing the sportsmen and outdoorsmen. As far as a specific problem, I think it's

only a recognition that we understand that there are people that enjoy the out of doors, whether it be for the taking of game or enjoying the out of doors. And, so many times we enter into negotiations and so forth not thinking quite broad enough. I think that the last situation that we had with the delivery of water, where the private citizenry has gone in and developed water catchments on private land so that we could afford the water in the off seasons as well as the good seasons, when we have rainfall, for the wild sheep of Arizona. When this land came under the category of wilderness, that the situation of the first draft, there was no way that the catchments were to remain, nor, if they were to remain, you could get reasonable access in to keep them up and repair them. They do not stay in the same condition and hold water without constant repair. And this is partly one of the reasons that we are here, just to be concerned citizens acting as an organization and the responsibility of a board back to its membership.

DAVID W. DELCOUR: Thank you very much. Bill, would you like to take a couple of minutes to kind of describe the cooperative

program in Idaho?

WILLIAM A. BURNHAM: Thank you for the opportunity. I don't know whether BLM's staff has had a chance to brief their director up on it, as they say, but, a few short days ago, an agreement was signed between the Bureau of Land Management and the Boise State University, the University of Idaho, Idaho State University, the Fish and Wildlife Service, the Fish and Game and the Peragrind (phonetic) fund to establish rapter research and technical assistance center, which will be located at Boise State University, and it will have two co-leaders, one which will be a BLM biologist, and the other will be a Boise State University professor. And this, I think, is a very unique accomplishment. It has -- it is directed towards rapters and management and technical assistance, and it is associated with them as they are found on public lands. So, it actually is maybe of interest to this committee, and it also really establishes a unique framework where similar arrangements might be possible in the future. It involves both federal and state government, as well as universities, as well as the private sector, all coopráting toward a singular

goal. It's something that was initiated and has taken almost two years to accomplish, and I just wanted to bring it to the attention of the group, but also to really compliment and commend the Bureau of Land Management, because I think it's extremely progressive and it's going to have many long-term benefits; and some of the problems which you now face with the spotted owl might be avoided in the future with an arrangement like this. And so I commend you, and congratulations. When they tell you about it now, you won't be surprised. But it's an excellent accomplishment.

DAVID W. DELCOUR: Thank you very much. We'll turn now to Lynn Engdahl to bring us up to date on the desert tortoise. Lynn?

DESERT TORTOISE STATUS REPORT

LYNN ENGDAHL: I bought a house in the middle of Phoenix not too many years ago, and I was driving out of my driveway and there was a great, huge turtle-like thing in my driveway. Thinking it was a pet of one of the young kids in town, I knocked on all of the doors and discovered,

no, it belonged, along with its mate, to my neighbor, who was a man about my age. I tell you this story because a year and a half ago that tortoise in his back yard hatched several of the hatchlings. And they wandered into my back yard, and I claimed victory. It's legal in the State of Arizona to hold a desert tortoise. You can hold four of them for 24 months. Then I have to have one each per family, but they cannot be returned to the desert for fear one would turn loose a Typhoid Mary. They're neat critters. They're the kind of critters people warm up to when you've seen them for awhile. In a yard less than the size of this thing here, with three plants, they disappeared last fall. My wife knew where two of them were. Now, I said we had three plants. That's just rock. They disappeared. My wife was sure that two of them were dead, because they couldn't be seen. But less than a week ago, on one of the hot Arizona days, all four of them were out browsing. And that's just a personal little vinyet. It doesn't mean much, except that I have a better sensitivity now for what my wildlife biologists tell me when they describe the frustration of trying to inventory at a hundred

percent level the desert tortoise. I also, by virtue of the fact that we have not had a permanent state director for awhile become a member of the management oversight group in the four states where desert tortoises exist, and desert tortoise four-state manager group is made up of four state directors of BLM, the four state game and fish organizations and the U.S. Fish and Wildlife Service, based in two different places, on headquarters in Portland, Oregon, with sub-headquarters in California, that take care of the desert tortoise and what we now call the Mojave area generally. The other is based in Albuquerque, with its sub-headquarters in Phoenix, and they worry about the Sonoran population. Nearly a year ago there was an emergency listing, as you all know, of the Mojave population of the desert tortoise. My first instinct then was to think that the desert tortoise was really one species, and I was looking at my wildlife biologist, when they were telling me that they live in two different kinds of places on two diferent sides of the Colorado River. One of the things I'd like to do today is illustrate to you that, in fact, the Sonoran population behave somewhat differently from

the Mojave population. I make no judgment as to whether or not Fish and Wildlife Service will make a permanent listing of the Mojave population; but, if I were a betting man, I would do better betting on a three-legged horse at the Prikness. That decision will come forward on about the 2nd of April, so we're not far from knowing what that is. And it may be necessary, but here's an interesting flash, folks. The people who have done the research on the desert tortoise, to whom everybody has turned for knowldge of how to inventory them, how to deal with them, how to understand them, turn out to be wildlife biologists who work out in the trenches in the areas in BLM. We have a larger data base on desert tortoises, both Mojave and Sonoran, than do any other agencies, and we think we have a pretty good understanding, insofar as people make it their business to have an understanding of everything that crawls or walks on the face of the earth. This is a neat critter. Up until a year ago, in Arizona, if you had a hunting license, you had the right to pick one of these critters up in Arizona and to put him in your back yard as a pet. There are populations of somewhat indigenous folks who eat them, and I'm told they

eat pretty good. But, when I say that, I'm not saying those populations eat them today, I'm just saying there is a historic pattern of them having been eaten. The most interesting thing about them, however, is that they are the center of a major controversy today, and the major controversy that's out there is not going to be settled easily. It's not going to be settled by us making an instant decision, or someone else making an instant decision. What I wanted to do with this little presentation was represent what we think we have gathered together, a little bit about the Sonoran population; so, when you hear people say the Sonoran and the Mojave are different, perhaps it will be interesting to see this. I have an expert, Ted Cory, came along as an expert who knows more about it than I do. And I have a script in front of me. We'll show you about 14 slides, and if you can turn around for me, Ted, we'll take a quick look at the tortoises. I don't know the answers and I'm not the decision maker on these nationally, but they're fascinating. The reason I wanted the lights to go down is because, if you look very closely on the left-hand side of that desert tortoise, you'll see two little projections.

Those are guller protrusions, and they tend to be out there on male tortoises, not on female tortoises. Speculation has it that that is a fighting tool and that they tip one another over with those. But that's one of the two ways in which the two tortoises are differentiated. The Sonoran population, according to biologists, measure less in the dome; they are not as domed as the Mojave population. The male has an indentation, after a certain age, in the back. That does not show up in the female. That, according to the health and growth pattern, occurs somewhere, I understand, between 20 and 40 years on the critter. In Arizona, their habitat tends to be under rocks. They're a lot smarter, or a lot lazier, than other species, because they tend to find themselves a place where rocks roll off of cliffs and then get into those cavities under those large rocks for their major habitat. Tell me when I'm off base here, Ted, because I don't have the script here in front of me. There's a tortoise that got himself burrowed in there. What was the number you gave me, Ted, ninety percent of their time they spend in their burrows?

TED CORY: That's about right.

LYNN ENGDAHL: So, if you're out looking on the wrong day for them, you'd probably have to look for something other than the actual critter. You need to get the time that they're out roaming to find them, and, as I say, they're opportunists, they look for kinds of rocks under which to hide. This is a contrast. This is a Mojave area, and you can find some areas where there are desert tortoise in here; and we'll show you in the next slide. Look, it's a little bit different kind of country where the Mojave population is often found. And here is a vigorous fellow. He is a Mojave desert tortoise. By the way, Arizona gets to manage both. We manage Mojave desert tortoises on the Arizona strip and on the California side of the Colorado River, and the Sonoran desert tortoise is on our side, where we are now. This guy has to dig his own hole. The other guy on the other side didn't take the time to do that, because he has a different kind of world in which to live, apparently. You notice there is an awful lot of forage around in this kind of country, and this kind of forage, it will bloom more than once, sometimes, in a year, different forage and different wild flowers. This is typical Arizona Sonoran

tortoise habitat. This one that is coming out of its habitat, they get pretty big. Ted, help me; what is the biggest that we recorded lately?

TED CORY: I think it's pretty rare to find one bigger than 14 inches.

LYNN ENGDAHL: Fourteen inches is what they get to. And they're prety well lived. Rumor has it that they outlive man in the standard pattern. There are numbers of them that are a hundred years old that have been documented being that age. Scatology is probably not a real exciting process, but it is what you look for when you can't find the actual tortoise. It tells you what they're eating, and it also tells you if you find some around there you've probably got an active den. The other way you know if there are tortoises in the area, if you happen to find a carcass or a dead tortoise, then you know that you are in an area where there may be active tortoises. To get another picture of the kind of country that we find them, and they're quite a ways up on the hillside, and we make this point because, in the listing process, you often hear people talk about it's a conflict with grazing. And the jury's out on that anyway, but in Arizona the jury doesn't

have the same date on it that they would in other places, and that's because -- that doesn't look like a real big conflict area. You've got two kinds of habitat shown here. Right up under the cliff here, you see those rocks that have fallen down, that is a tortoise habitat. And then they'll work the washes, and it's probably through the washes that you find the desert tortoise moving from one population to another; but it's not a major move, so that in this country we have a lot of isolated populations, which is another reason we don't think personally that the desert tortoises are threatened by the respiratory disease that is reputed to be a threat in the Mojave population, because there has to be individual contact between groups in order for that to be spread, and that contact isn't as likely in this kind of a habitat. There is an area where they have a second type of habitat, and that's in the caliche caves along washes. The little hole you can see on the left-hand side about two-fifths of the way up, that is a potential cave for a tortoise. They don't occur as much in that kind of habitat as they do up under the cliffs, but we have them in that kind of habitat here in Arizona as well. When

this one was shown to me, Ted walked over, waved his hand over it and said, "There are different kinds of areas where the population density is much different." He pointed to that area between the two clifs over on the right-hand said and described that as being a high-population density area. But it's just to give you a feel for the kind of country that our tortoises habitate. Would you like to add to that, Ted?

TED CORY: Well, one of the things that I wanted to show was this, that the populations can be pretty isolated. There are pockets of real good habitat and pockets that aren't all that great; and that kind of increases the challenge that we have to determine what kind of habitat we're dealing with.

LYNN ENGDAHL: What we're talking about now is that, when we find those pockets of population, there is a lot of research left to be done, and the inventory for the complete population will not be done with the kind of dollars we've got in the near future. But, there will be a better understanding, and we don't think much of the threat in the interim. Is that my last slide, or do I have one more?

TED CORY: That's your last slide.

LYNN ENGDAHL: The local state is supposed to, they tell me, put on something of interest that is of local concern. This just isn't an Arizona issue; and the reason I brought Ted with me is that, if we do have questions about the critter, we are happy to share the expertise with you. We just wanted you to see something that we're wrestling with right now, trying to make sure we balance all of the concerns for the many diferent sources so that we do what's right by the critter without destroying multiple uses that we shouldn't have to destroy during the process.

DAVID W. DELCOUR: Thank you very much.

LEONARD N. (BUD) PURDY: If there was a conflict with the livestock grazing, what would it be, would it be food supply, or what? Do we know that answer?

LYNN ENGDAHL: The words that flow from those who use that position tend to describe that certain food bases are removed and/or that habitat caves are stepped on. And my understanding

of the critter is that it's much more likely to be a food base, and so the argument rolls that the cows eat the foods that the tortoise would eat; and that's the way the argument goes.

LEONARD N. (BUD) PURDY: So we're to assume that the tortoise eats grass or --

LYNN ENGDAHL: Let me give you a feeling for what we're going to do. We're not going to assume that, we're going to get into some real heavy-duty research. The dollars have begun to be appropriated, and some of that research is being done in California. We're trying to get a good feel for what the critter eats and what he takes and what puts him under stress, because the decisions ought to be made truly over time by scientific data.

CECIL MILLER: How about the raven management side of it, and would you comment on what's occurred there, particularly up in the Mojave?

LYNN ENGDAHL: I can comment only in a secondary roll. The young hatch is a very vulnerable critter. When he gets out, he starts flopping, and he looks -- you know the ones we had right there in town got two blocks away, so you know -- and that's with sreets, so you know

that they can move quite a ways. And when they're out there flopping their first few days, they're very vulnerable. While they're doing that, the ravens have discovered that they eat well, and we've found places under poles where there were a lot of carcasses from the young. The ravens apparently had increased in population by virtue of some dumps in the area. The State of California requested the proper process to do some predator control of the ravens, and that is an ongoing process. The raven is protected by the inter-state, or the migratory -- they're protected as miratory birds, so that introduces some other process. Whether that is the only answer remains to be seen. The individuals that are eaten by ravens are not available for recruitment into the adult population, and that's a given.

CECIL MILLER: What kind of studies are under way, as far as the ravens, their impact on the tortoise?

LYNN ENGDAHL: I'd like to tell you, but I don't know the dimensions of it. I really don't. Is there someone here who does? Ted, do you know what the dimensions of the raven study might be?

TED CORY: There is a proposal for research that is going to be looked at. there's been an additional analysis of the project last year, to show that the controls work really well; and they've been negotiating with the groups that initially is going against the BLM doing that control, and I think they're going to be expanding a little bit this year.

LYNN ENGDAHL: I don't have the exact answer.

CECIL MILLER: My understanding is that the effort to control the ravens was undertaken and that someone, or some group, brought a lawsuit, in joining that activity.

LYNN ENDAHL: That's correct.

CECIL MILLER: Am I to understand that you entered into some kind of negotiation?

TED CORY: They did negotiate with the humane group. That was the group. And they did some limited work, and it turned out to be pretty successful on a method scale. And they've been working on the Humane Society to extend its operation.

CECIL MILLER: So they may have some compromise, where they can begin to move on

the raven then?

TED CORY: Right, but they don't think it's gonna be the scale which the Bureau and California Department of Fish and Game wanted to run. Hopefully, with some of the additional research that's going on may help the over-all program expand even more.

LYNN ENGDAHL: The latest limiting factor was the offending animal. That dealing with the ravens pretty well had to be that those ravens had to be shown to be eating the tortoise.

ROBERT L. FLOURNOY: Can I defend the livestock just a little bit? I'm from California, and of course we travel this border, and not too long ago, out of Bakersfield, some of those livestock men that I visited with said that 20 years ago, or 25, 30 years ago, when cattle were on those plains there at a peak time, there was more tortoises there then than the cattle that were there, than there is now, and the cattle hasn't been there for two years. So, it's just a -- I just wanted to say that.

LYNN ENGDAHL: I appreciate that.

DAVID W. DELCOUR: What kind of evidence of the respiratory ailment are you finding

in the wild Sonoran population?

TED CORY: As far as I know, on the Sonoran population, there have been two sites discovered in Arizona that have that disease. And there's one animal taken from an area near Winkleman, Arizona, which is on the San Pedro River, norh, northeast of here, and there has been some individuals taken from the Tucson monument park area and Sahuaro National Monument, very likely captive animals that have been released out there, and that's probably the location of that disease. We haven't found it anywhere else in Arizona, except on the Mojave strip.

MAITLAND SHARPE: Maybe, in general, good science makes good policy. I'm moved to ask you a leading question about the adequacy of the pace of the research and the adequacy of the resources that you have available to conduct the research effort. Clearly, in such matters, when the conflict reaches a head, here's no time to conduct extended biological research, and decisions have to be made on the basis of what is known and despite what is not known. Perhaps, in this case, it's an opportunity to get ahead of that curve out there and invest in some research results that we

can be pretty sure that we're likely to need in the future. Do you have the tools to do the job?

LYNN ENGDAHL: You know, Maitland, those are those questions -- this critter could be studied with an unlimited amount of dollars for an unlimited amount of time. We've dipped into our base and drawn out some dollars to do some research and have ongoing research, and then the Bureau was given some new dollars last year, or in this budget cycle, to undertake research. The crisis area seems to be in the Mojave populations, and the bulk of the research is now in the Mojave populations. I agree with you that we would serve ourselves and the critter well by getting the base line in front on the Sonoran side, and we could accomodate modest gains in that. We're not going to just let it lie, we're doing research on it, getting the data together, getting the base line together.

CECIL MILLER: Is there adequate money on the Mojave?

LYNN ENGDAHL: You know, there's been money put into more than one organization. There's been money put into the Fish and Wildlife Service and into the BLM. As that research gets

cranked up, I'm sure there will be questions that new money would help us answer.

CAROLINE S. MADDOCK: When it becomes listed, will extra money then be appropriated; does that come along with that listing, that there will be money to study it with?

LYNN ENGDAHL: If your question is, given that a listing produces a money flow, I don't know if that is a one-on-one relationship. What a listing does do is introduce Section 7 Consultation on all activities that we would permit on the ground, and that Section 7 consultation basically sets that if you were going to jeapordize this critter to the point that he no longer will be viable, either in this sub-population or full population, then that activity should not be taken. There is two sub-sets of that. One is a time consumer, and the other is a veto potential. It may be in tomorrow's environment that a listing is an automatic source for new funds. I can't say it has been that way in the past.

CECIL MILLER: Mr. Chairman, this is a unique situation, which everybody that's involved in dealing with this problem benefits from data and from the studies, both those who have

responsibility for protecting the species and those in the private sector who seek permits for various activities, which usually encompass a Section 7 consultation. Data is the key to acting on everything that takes place, and so I think that it behooves -- certainly behooves Interior to do everything it can to expedite those studies; and I'm wondering if we couldn't request of the Bureau of Land Management that we be given a summary of the various studies that are undertaken, the status that they've reached, how much money has been appropriated for it, whether they're going to be completed, who's doing them and what geographic area they cover to get a handle, a better understanding of the scope of what's being done and whether or not it's adequate.

DAVID W. DELCOUR: Karen, can you organize that?

MAITLAND SHARPE: Can that list be expanded to include the studies, the initial studies, to be funded at the margin, if you had I don't know, an extra $100,000, $200,000, some amount of money? I'd like to see what's almost on the list but not quite, that isn't being done.

LYNN ENGDAHL: That would not be

difficult to do, because of the strategic plan of the BLM, and the groups have been putting in place the funding that's been going on, the cooperation and compromising that has been working around the Las Vegas area, the listing question, it would not be a difficult thing to respond to, in both stages.

CECIL MILLER: I happen to be involved in some permitting in San Bernardino County, site of the state as well, and there is a crying lack of data.

DAVID W. DELCOUR: Okay, I think we're about to break back into subcommittees. You should have in front of you a reimbursement form. For those of you who are new to the council, if you read this and you think you understand it, then you misread it, because it's incomprehensible. But, do the best you can, and then call for help. Second of all, I want to remind you that the reception tonight is at six p.m. It's in the Garden Room, and that's where a buffet breakfast is available, I believe. It's at six p.m. It's hosted by the Arizona Cattlemen, Arizona Farm Bureau, Arizona Mining Association and Amigos. We will reconvene here at eight o'clock tomorrow morning.

* * * *

C E R T I F I C A T E

STATE OF ARIZONA)
) ss.
COUNTY OF PIMA   )

BE IT KNOWN that I took the minutes of the National Public Lands Advisory Council Meeting in Tucson, Arizona, on Friday, March 23, 1990.

WITNESS MY HAND this 7th day of April, 1990.

Karen Goodner
Karen Goodner, Notary Public

My commission expires:
March 3, 1993

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MINUTES OF THE NATIONAL PUBLIC LANDS ADVISORY COUNCIL MEETING

March 24, 1990

Tucson, Arizona

BLM Library
Denver Federal Center
Bldg. 85, OC-521
P.O. Box 25047
Denver, CO 80225

Reported by: Toni L. Hensley

MEMBERS

Robert H. Adams
Calvin Black
James E. Bowns
William A. Burnham
Donald Butler
David W. Delcour
Howard (Bud) Eppers, Jr.
Robert L. Flournoy
John K. Gram
Sheri Griffith
Charles C. Hawley
Robert List
Caroline S. Maddock
Mary Mead
Cecil Miller, Jr.
Mark Murphy
Leonard N. (Bud) Purdy
Dave Schaenen
Maitland Sharpe
Everett E. Shuey
Peter I. Wold

* * * *

PURSUANT TO NOTICE the minutes of the National Public Lands Advisory Council meeting were taken at Hotel Park Tucson, 5151 East Grant Road, Tucson, Arizona, on Saturday, March 24, 1990, commencing at the hour of 8:00 a.m. before Toni L. Hensley, Notary Public in and for the County of Pima, State of Arizona.

* * * *

March 24, 1990

CALL TO ORDER AND OPENING REMARKS

DAVID DELCOUR: I will call the Council to order, please.

I guess the first order of business this morning is approval of the minutes of our Bakersfield Meeting.

(The motion was moved, seconded, and approved.)

The minutes are approved. Under old and new business first I will call on Dan Talbot for resolutions adopted in Bakersfield.

RESOLUTIONS ADOPTED

DAN TALBOT: First is California Desert Conservation Area.

Be it Resolved: That the National Public Lands Advisory Council reaffirms its support

for multiple use management of the California Desert Conservation Area; congratulates BLM for its methodical development of the California Desert Conservation Plan; and commends to the BLM Director and the Secretary of the Interior the process by which the California Desert Conservation Plan was developed, utilizing the full array of modern land planning analytical practices coupled with full public participation.

Response: We appreciate the Council's continued support for the California Desert Conservation Plan and multiple use management of the Desert area. Last year before the Senate Energy Subcommittee on Public Lands, National Parks and Forecasts, and the House Interior Subcommittee on National Parks and Public Lands, BLM Director Cy Jamison testified against enactment of S. 11 and H.R. 780. Reflecting the policy position of the Secretary of the Interior, Director Jamison supported the California Desert Conservation Plan and its planning process.

DAVID DELCOUR: I think, Dan, if there are any questions, you should take them

with each resolution rather than wait.

Looks like none.

Be it Resolved: That the National Public Lands Advisory Council urges the Director of the Bureau of Land Management and the Secretary of the Interior to request the Secretary of Defense to prepare a national assessment which evaluates the extent of existing facilities and future military needs for use or withdrawals of public land from multiple use, and

Be it Further Resolved: That the Department of Defense and the various National Guard agencies be encouraged to cooperate and coordinate in order to make maximum effective use of existing installations before new or expanded facilities are considered.

Response: We share the Council's view regarding the Department of Defense's role in preparing a nationwide assessment to evaluate existing military facilities and the need for future facilities. A critical aspect of this assessment is the potential sharing of such facilities by the Army, Navy, Air Force, and National Guard agencies.

The Secretary of the Interior has designated BLM Director Cy Jamison as the Department's primary contact point for the establishment or expansion of military ranges and maneuver areas on public land in the western United States. Likewise, the Secretary of Defense has designated his Director for Base Closures and Utilization as the Defense Department's primary contact point for these same matters. Both Directors met recently to begin reviewing the military's proposals and to ascertain whether Defense's needs cannot be met using existing facilities.

The Department of Defense has now established a task force that will conduct a nationwide study on its air and ground training requirements. In addition, a follow-up meeting of the two agency Directors has been scheduled for March 27, to discuss the military's progress in conducting this nationwide assessment.

The next resolution, National Research Council's Report on Land Use Planning and Oil and Gas Leasing.

Be it Resolved: That the National Public Lands Advisory Council recommends

to the Bureau of Land Management Director and the Secretary of the Interior that these impractical recommendations of the NRS Committee be forthrightly rejected. Those recommendations considered to be completely impractical are those involving exploration and development rights, reserving to the government the right to buy back leases, shortening the term of non-competitive leases and the time frame for acquiring non-competitive leases, determining unsuitability criteria through formal rulemaking, and applying the Committee's recommendations to existing lease, and

Be it Further Resolved: That the Bureau of Land Management expedite completion and revision of its Resource Management Plans to assure that the maximum acreage determined to be environmentally acceptable continues to be made available for leasing and exploration.

Response: The Bureau of Land Management is in the process of conducting an in-depth assessment of the National Research Council's (NRC) report, "Land Use Planning and Oil and Gas Leasing on Onshore Federal Lands." We are particularly concerned that, before any final decisions are made with

respect to the report's recommendations, the practicability and costs associated with each recommendation are analyzed in detail. The BLM response will be formulated only after this detailed analysis has been completed and there is a sound basis on which to accept or reject each recommendation.

In addition to the NRC report, we are also reviewing a companion report prepared by the General Accounting Office, which was required by the same section of the Reform Act of 1987. Meanwhile, BLM has scheduled completion or revision of Resource Management Plans in high priority oil and gas areas at the earliest possible date.

The next resolution is Indian Oil and Gas Inspection and Enforcement.

Be it Resolved: That the National Lands Advisory Council commends the Bureau of Land Management for the actions it has taken and its proposals for future actions to improve oil and gas measurement and site security on public and Indian lands; and

Be it Further Resolved: That the Council recommends the BLM carefully analyze any

recommendations for additional legislation by the Senate Select Committee on the belief that existing laws provide BLM with adequate authority to make any administrative changes necessary to assure adequate oil and gas measurement and site security relating to possible theft of oil and gas.

Response: On November 17, 1989, the Senate Select Committee on Indian Affairs issued its report containing recommendations for Indian oil and gas leasing operations. This report proposes transferring the inspection and enforcement responsibility for Indian leases from the Bureau of Land Management to the Minerals Management Service and contains several legislative recommendations for resolving measurement and site security problems.

In response to the Committee's report, and to recommendations made by the General Accounting Office and the Department's Office of Inspector General, BLM conducted an overall inspection and enforcement review. That review has identified a number of actions which BLM believes will significantly improve program effectiveness in assuring production accountability and environmental protection. BLM's responses to the issues

raised and recommendations made as a result of the three investigations are contained in a report soon to be released. Director Jamison will brief the Council on this report at the upcoming Council meeting.

The next resolution, Responsible Development of Coal Bed Methane Resources.

Be it Resolved: That the National Public Lands Advisory Council recommends that the BLM assert its leadership position as the management agency for the Nation's public lands to continue to make lands available for coal bed methane exploration and development in an orderly manner; and

Be it Further Resolved: That BLM commit the resources necessary to consider and assess the problems identified with this important new source of domestic energy through the land use planning process and environmental assessment process of the National Environmental Policy Act.

Response: We agree with the thrust of this Council recommendation and fully recognize the important contribution that coal bed methane resource development makes to National energy policy objectives. The Bureau of Land Management will continue to

place a high priority on the careful, orderly and environmentally sound development of this resource on the public lands.

The next resolution, BLM Outreach Program.

Be it Resolved: That the National Public Lands Advisory Council supports BLM's outreach initiatives and encourages greater use of proactive educational and public affairs programs; and

Be it Further Resolved: That BLM's national office be encouraged to extend outreach programs throughout the United States; that private financial support of such activities be encouraged; and that the Council be utilized as a sounding board for newly-developed outreach programs.

Response: We agree with this recommendation. BLM's Washington Office of External Affairs is developing a comprehensive national public affairs plan to help guide our future outreach efforts. In addition, the Office is developing a tourism proposal to communicate to domestic and foreign visitors the abundance and variety of recreational opportunities found on public lands.

BLM's volunteer program, now located within the Office of External Affairs, is receiving a higher priority. In coordination with Presidential and Secretarial initiatives, we are seeking greater volunteer participation and developing a means to educate volunteers about BLM's programs and mission. This will enable us to communicate to a wider audience.

The Office of External Affairs is also exploring possible implementation of progressive new marketing techniques to more effectively inform the public and interested persons about agency programs and activities. Our goal is to work with all major constituent groups to achieve a better understanding of BLM's role in carrying out a balanced multiple use mission.

In addition, BLM Director Cy Jamison has a very strong personal commitment to developing partnerships and is actively pursuing such partnerships with organizations throughout the country.

The next resolution is Bureau of Land Management Funding.

Be it Resolved: That the National Public Lands Advisory Council urges the BLM

Director and Secretary of the Interior to emphasize the benefits to be derived from continued multiple use management of the public lands and to seek increased funding from Congress for all programs where demands are exceeding BLM's ability to keep pace.

Response: We are very much aware of the increasing land use pressures and conflicts on multiple use management of public lands. While the proposed Department of the Interior budget for FY 91 is reduced, the BLM budget has been increased. Even in these times of fiscal restraint, the Secretary of the Interior and the President have recognized the importance of the public lands. Compared to FY 90, the BLM budget increased by about $66.5 million after adjustments for one time costs incurred in FY 90.

Contained within the President's FY 91 budget are increases for the following BLM programs: wildlife habitat management, recreation management, cultural resources management, rangeland management, facilities maintenance, hazardous materials management, law enforcement, oil and gas inspections, land exchanges, ALMRS, new construction

projects, and additional land acquisition projects. The budget also includes initiatives to expand the use of volunteers and support natural resource and environmental education efforts.

The next resolution is Desert Tortoise Listing as a Threatened/Endangered Species.

Be it Resolved: That the Council recommends the Secretary of the Interior to direct that, in desert tortoise habitat, traditional uses of the public lands continue until the cause of the decline of the tortoise is fully known; and

Be it Further Resolved: That BLM continue its investment in research, leading to a better understanding of the respiratory disease, identification of viable existing populations, and the interrelationships of tortoise populations, grazing ungulates and their habitat requirements; and

Be it Further Resolved: That BLM continue with its raven control program, using appropriate methods, in order to minimize depredation to the desert tortoise; and

Be it Further Resolved: That BLM advise the U.S. Fish and Wildlife Service of the need to reevaluate the status of the desert tortoise

as information from continuing research and studies become available; and

Be it Further Resolved: That the Arizona, California, Nevada and Utah BLM State Directors expand the membership of their technical research advisory teams to include qualified interdisciplinary research members, and

Be it Further Resolved: That the Council requests the Secretary of the Interior to use his authority and discretion to conduct an evidentiary hearing, when adequate biological inventory data is available, for the benefit of the U.S. Fish and Wildlife Service public record that will be used in considering listing of the desert tortoise.

Response: At this time there are no plans for the unjustified removal of traditional uses of the public lands in areas of desert tortoise habitat. BLM's range-wide plan for desert tortoise, completed in 1988, provides guidance for future planning efforts. Briefly, that plan calls for continuing uses so long as they are compatible with the plan objectives. In addition, there may be restrictions on new uses or increases in ongoing uses in areas classified

Category I or II desert tortoise habitat.

The Bureau of Land Management is continuing its efforts for the control of raven predation on desert tortoises and its research on the causes and possible management actions for controlling the respiratory disease affecting tortoises. During the current fiscal year, BLM is working with several research groups, State agencies, and other Federal agencies to better understand these two important issues.

Additional research efforts are also being developed. For example, studies are proposed for evaluating the effects of cattle and sheep grazing. Other studies are also underway to determine the nutritional requirements of desert tortoises. The latter studies will be coordinated closely with the livestock grazing studies to see if there are any correlations. All studies and research efforts will include participation by scientists from the fields of soils, livestock forage requirements and behavior, and desert vegetation.

The BLM recently summarized its existing data on the desert tortoise and submitted it to the Fish and Wildlife Service. As new

information becomes available, we will continue to submit findings to FWS for evaluation. No decision has yet been reached on the question of holding an evidentiary hearing.

The next resolution is Cooperative Management Agreements.

Be it Resolved: That the National Public Land Advisory Council requests the Bureau of Land Management, using proper authorization under existing law, immediately renew implementation of the CMA program.

Response: The livestock industry has not demonstrated great support in the past for BLM's Cooperative Management Agreement (CMA) initiative, with only 27 permittees participating in the program before it was legally challenged in 1984.

The following year, the U.S. District Court for the Eastern District of California ruled that the CMA program was contrary to congressional intent and was enacted without statutory authority. More specifically, the Court found that the CMA program disregarded BLM's duty to prescribe the manner and extent to which livestock practices would be conducted on the

public lands.

Further, the Court concluded that grazing permits/leases and Allotment Management Plans (AMPs) are the only two legal means by which BLM may permit or authorize grazing use. The Solictor subsequently advised the Director that BLM would probably not prevail on an appeal.

The primary objectives in developing the CMA initiative were to:

1) Assure a permittee's tenure, to encourage private investment in public range improvements,
2) Provide flexibility in the livestock operation, and
3) Recognize outstanding livestock managers.

We believe that BLM's present regulations and policy provide adequately for accomplishing these original objectives. Specifically:

1) The permittee's tenure is assured in Section 402 of the Federal Land Policy and Management Act of 1976. If the land remains available and the permittee is in compliance with the grazing regulations and accepts the terms of the permit, the

permittee has first priority for a renewal of the 10-year permit.

2) An AMP developed under the principles of Section 8 of the Public Rangeland Improvement Act can include adequate flexibility to run an efficient livestock operation. Section 8 is the permittee's insurance that AMPs will not be an arbitrary or unilateral process. It provides that AMPs and other cooperative efforts shall be developed in careful and considered consultation, coordination, and cooperation with permittees, affected interests, landowners involved, District Grazing Advisory Boards, and any State or States having land within the area to be covered by the AMP. This ensures that livestock management and other needs are carefully considered in the plan.

3) There are other means of recognizing good range managers. This has been demonstrated in recent years with awards and special recognition for exemplary range management efforts by the BLM and professional societies. One such effort in progress now

is utilizing the Take Pride in America Awards program. Another is BLM's Range Management Success Story initiative.

Then the Northern Spotted Owl Evidentiary Hearing resolution.

Be it Resolved: That the Council again calls upon the Secretary to use his authority and discretion to conduct an evidentiary hearing, when adequate biological inventory data is available, for the benefit of the U.S. Fish and Wildlife Service decision be postponed until adequate inventory data is available and such an evidentiary hearing has been held.

Response: The principal agencies responsible for northern spotted owl habitat management in the Pacific Northwest -- the Bureau of Land Management, Fish and Wildlife Service, National Park Service, and U.S. Forest Service -- have established the Interagency Spotted Owl Scientific Committee. This Committee is comprised of scientists who are reviewing and evaluating all current data on the northern spotted owl and preparing a conservation strategy for the owl.

The Committee's data review and

evaluation will include recent inventory findings, research, monitoring data, and other evidence related to the status of the spotted owl. Interviews are also being conducted with researchers from agencies, universities and private industry, as well as with those presenting data that appears contradictory to previous findings. These data will be carefully analyzed to determine if they present a clear picture of the spotted owl's current condition. The Committee's comprehensive report is due March 30.

Requests similar to the Council's for an evidentiary hearing have been made by a number of individuals and organizations. Whether or not such a hearing should be held, in addition to the public comment process and the work of the Scientific Committee, is a question undergoing considerable discussion within the Department. A final decision has not as yet been reached on this issue.

In regard to preparation of a conservation strategy for the northern spotted owl, this strategy will be based on the findings of the Scientific Committee's analysis and will provide guidance for managing spotted owl habitat

for long-term population viability. It should provide some clear guidelines on how much habitat is needed for owl management and what configuration and distribution is necessary for population viability. In addition, we should obtain a better understanding of which timber areas can be harvested, which should be managed for owls, and which may have the potential to be used for both. We anticipate that the strategy will be incorporated into resource management plans currently under development.

Our goal is to develop an approach that will result in optimal management conditions for the spotted owl and timber management activities.

No Net Loss of Wetlands, the next resolution.

Be it Resolved: That the Council requests the BLM Director to:

1) Convey to the Interior Working Group on Wetlands Policy the Council's recommendations as set forth in items (b) and (c) of the August 12 Resolution;

2) Clarify how the Inter-Agency Task Force on Wetlands plans to assess implementation of the no net loss goal "at all governmental levels and the private

sector; and

3) Acknowledge that many of the wetlands referred to in Alaska are not, as stated in the Department's response "among the most productive waterfowl habitats in the world," but are instead low-value, wet tundra and permafrost wetlands.

Response: The Bureau of Land Management has conveyed the Council's recommendations contained in the August 12 resolution to the Interior Working Group on Wetlands Policy. To date, the Working Group has not developed an approach for assessing implementation of "no net loss of wetlands." Current activities include review of the existing wetlands Executive Order 11990, development of a definition and draft policy, and approaches to measurement of no net loss on Interior-administered lands. None of these activities are far enough along to permit co-ordination or review with the Domestic Policy Council's Inter-Agency Task Force on Wetlands. We will continue to keep the Council informed of progress on these activities.

As the Council is aware, the

President has given the Inter-Agency Task Force on Wetlands responsibility for developing recommendations to attain the goal of no net loss of the Nation's wetlands. In addition, the Task Force has recently been instructed to hold a series of public meetings around the country, to solicit public views on appropriate strategies for achieving this goal. These public meetings will also address specific issues such as losses associated with agricultural activities in wetlands and losses in specific geographic areas such as Alaska, where a high proportion of developable land is wetlands and where technical difficulties exist regarding opportunities for compensatory mitigation. The Task Force will also address issues such as the important roles of State and local government and private conservation groups; the role of market based strategies; mitigation policies, including mitigation banking; and the role of legislation in achieving the goal.

CHARLES HAWLEY: Since we did not receive the report on wetlands in time, will that be given to us at future meetings?

DAVID DELCOUR: Sure. We will certainly follow up on that point.

DAN TALBOT: Range Research Needs.

Be it Resolved: That the National Public Lands Advisory Council urges the Secretary of the Interior to allocate a minimum of $5 million annually to the Bureau of Land Management for research programs which will provide knowledge and technology for BLM managers to fully meet their management obligations; and

Be it Further Resolved: That BLM use any funds acquired to implement research programs in cooperation with universities, the Agricultural Research Service, forest and range experiment stations, and other competent research organizations so BLM will not need to make major investments in support structures to implement research.

Response: We fully recognize the important role that rangeland research plays in expanding our knowledge of rangeland ecosystems and improving management decisions for the benefit of present and future generations. Although current budget restrictions place limits on our research capability, we are directing funding to research initiatives that will enhance the biological productivity of BLM rangelands.

For example, BLM is participating in a major Federal research program on global environmental change. Our efforts will be directed at gaining a better understanding of the changing global environment and exploring ways to mitigate or adapt to such change. Approximately $2.1 million is targeted for such research in BLM's FY 91 budget.

We are also involved in a cooperative research project with organizations in Idaho, Oregon, and Washington to better understand the biological components and functions of rangeland ecosystems in the Columbia Plateau and Great Basin areas. The information derived from this project will improve our strategies for neutral revegetation of rangelands.

During the 1990's, BLM will also be addressing research needs associated with riparian habitat management, forestry enhancement, Greenstripping Project applications, and wildfire rehabilitation.

BUD PURDY: I was kind of instrumental in pushing this resolution through and I am a little disappointed in -- it is a little vague as to what we are doing. There is nothing specific about what we actually are setting up. I don't think that money will ever -- sounds good; but as far as the type of research that at least I was thinking of, that will

never hit the ground here in the West anywhere. It is just too broad.

I would like to see some figures maybe given to us later on as to what is the total funding for research. How committed is the Bureau of Land Management to actually, to the research project that are going on? What are they spending and contributing to these various projects?

I am just wondering if that information could be given to us later on.

DAVID DELCOUR: Would you like something beyond what was presented in the Director's report yesterday?

BUD PURDY: Well, that didn't give us a very good idea. That is the way I saw it, anyway.

DONALD BUTLER: It doesn't address the resolution as it was before.

DAVID DELCOUR: We can certainly get some more detail on that.

Would you like to say something about the research initiative?

MIKE PENFOLD: One specific thing not covered in there, in the Great Basin area we are putting together a cooperative research program.

That design is being done this year. It is expected to be about a half million dollars on the annual conversion problem in the Great Basin area.

It is in cooperation with the Land Grant Schools, U.S. Forest Service and some other agencies there.

At the same time we are beginning to take a look, Bud, in response to this resolution at our whole posture towards BLM research. I am not sure that we will be ready to have some things to discuss with the Council by the next meeting; but we believe it is time for us to take a very careful and comprehensive look at the Bureau's research program and we think that resolution encourages these kinds of things so we will be able to certainly give you a good update at the next meeting. We hope we will have something for you to give us some guidance on it by the next meeting or certainly the meeting after that.

VOICE: I testified in opposition to the Bingham (phonetic) Bill which would have set up a desert research center in southern New Mexico. During the course of that dialogue we had with Bingham, we had agreed that the Bureau of Land Management should really take on some leadership with regard to

desert research. Now, we would be in the process of putting together some plans on how to approach it.

Specifically, however, in response to this Council's resolution, I suggested that we do not want to make a major investment in infrastructure but rely on universities and research stations that were there in place. So for what it's worth, we would have that impact.

BUD PURDY: That was our thrust of it. We felt you could put money with the universities and those people on project and not, of course, set up your own little research station. It would be nice to get a pretty good overview of what are your commitments for research and what is going on.

VOICE: What I asked for was six months to a year before they considered any legislation to give us time to put together a program we think is appropriate.

BILLY TEMPLETON: We are going to be using our remote weather stations. That will be one thing that we will maintain year-around instead of closing them down at the end of the fire season to maintain year-long data.

I will be happy to put together for you what is going into the rangeland research in

1990.

BUD PURDY: Thank you.

MAITLAND SHARPE: I have a similar sort of question and request with respect to the second resolution in this packet, the one concerning California Desert Conservation Area.

The request is a little less explicitly tied to the language of the resolution; but it would be useful to me and I suspect to some of the others if we had a rather explicit break-out of spending levels, personnel levels, and the levels of both that would be necessary this year and in the out years to carry out, to fully carry out the California Desert Management Plan.

At least as I read the budget documents, that information is not broken out. And because that is such a high profile area, the focus of legislative controversy, it would be useful to me, at least, to have that information.

DAVID DELCOUR: Thank you very much.

The next item on the agenda is Timber Management/Spotted Owl Update.

Does anyone feel a need for anything further on that?

Okay, John Boyles, can you give us

a good report on the wild horses and burros?

JOHN BOYLES: Thank you, Mr. Chairman. BLM, in response to language that accompanied the appropriations act this year, is in the process of developing a national wild horses and burros advisory board in conjunction with the Department of Agriculture and Forest Service.

At the present time we have developed a proposed charter which has been reviewed both by the Department of Agriculture and the Department of the Interior.

At this time we are in the process of sending through the channels the final charter for signature and approval by the Secretary. We expect that probably by the end of the month there will be a notice in the Federal Register that will be a call for nominations to the advisory board. We anticipate that the Board will be operational by the middle of August or early September.

We haven't established anything beyond that in terms of meeting dates or locations. We anticipate by the next time the National Public Lands Advisory Council meets the Board will at least be appointed.

DAVID DELCOUR: Any questions?

DONALD BUTLER: Is that similar to the advisory board that was in place? Earlier a few years back?

JOHN BOYLES: Fairly similar, yes. The charter calls for memberships somewhere between five and nine members. It will conform to the National Federal Advisory Committee Act, which means it is fairly broad in structure.

DONALD BUTLER: Will it be appointed by both Agriculture and Interior?

JOHN BOYLES: They will jointly agree on it, yes.

DAVID DELCOUR: Thank you, John.

Status of National Wildlife Federation versus -- well, we have a written report.

Mike, anything you would care to add?

MIKE PENFOLD: Not unless there are any questions on the litigation.

DAVID DELCOUR: Future Council meetings and activities. Jack Sept, are you here? You want to maybe tell us a few things about the Idaho meeting?

JACK SEPT: When we were asked to submit some proposals for these next meetings, Idaho sent in several and the South Fork of the Snake River

seemed to be the one that kept coming to the top. So we went ahead, and assuming that in fact is the trip the people will be taking.

What we have in mind here, the South Fork of the Snake River is Idaho's number one wildlife ecosystem. It produces more nesting bald eagles than anywhere else in the Greater Yellowstone ecosystem. It is a blue ribbon fishing stream.

We will have a very pleasant trip. It is about, we think, about six hours long on the water. It is not really a wild float ride. It is a pleasant float ride. It is a safe float ride.

It will be pleasant, but it will also be very educational, we feel, because about every form and talent of the multiple use is illustrated in that stretch of the river. We will be looking at increased recreation pressures, development of subdivisions, the grazing situations, wildlife winter range, agricultural trespass, partnerships that we have with mixed land pattern down there, our work with the Nature Conservancy in acquiring some of those areas and our work with the South Fork Coalition which is public interest group that has helped us on our plans.

I think that what you will see on

this trip will help us in our South Fork plan that we are working on right now, but also it will give you a quick illustration of management situations bureau-wide. So that later on when we talk about some of these things in other states and other topics, you can flashback to some of the illustrations you maybe saw along the South Fork.

We are not so far along in our planning that we can't do some changing to meet and accommodate your needs, but what we are planning right now, unless instructed otherwise, is a six-hour float trip on Thursday, a barbecue that night, inviting some of the people from Idaho that would like to meet you and visit with you, and then go to the meetings Friday and Saturday morning in Idaho Falls.

That is July 19th through 21st. We will put together some briefing packets, a list of suggested things you bring such as sunscreen, things like that. We don't want to beat you to death out there on the water with a twelve-hour trip or anything like that.

We want it to be a pleasant trip but an educational trip so that some of the things you will be dealing with in the future you will

maybe have seen them all in a short period of time.

Are there any questions?

MAITLAND SHARPE: Will you be able to pre-brief us not on the sites but on the issues?

JACK SEPT: Yes.

DAVID DELCOUR: Thanks very much. We are all looking forward to that meeting.

We will be advising you of the Idaho meeting. In view of Cy's remarks yesterday morning challenging us to reexamine a number of aspects of council meetings, procedures and so forth, it seems to make more sense that we spend some time thrashing out those issues prior to setting up a subsequent meeting.

The real drawback to that approach, unfortunately, is I know that calendars get clogged up and so we will be mindful of that. I will be meeting with Cy and within the next two to three weeks I would suspect, depending on schedules and availability, we will come up with dates, anyway to address the issues Cy raised yesterday and the issues I know you have discussed during the subcommittee meetings.

We will pick an appropriate meeting time and appropriate meeting circumstances

immediately thereafter and advise you as soon as possible.

On that subject, I realize the subcommittees have been discussing some of these issues. In addition to presenting resolutions, when we get back together this morning, to the extent that you would like to maybe report on any concensus or agreement reached within your subcommittees on these procedural questions, I think that would be a very appropriate thing to do.

So my impression is that the subcommittee will require about an hour to wrap things up so why don't we then adjourn to subcommittees.

(Recess taken)

DAVID DELCOUR: Why don't we go ahead and get started? I think maybe we have got resolutions from the Renewable Resources Subcommittee available. With any luck, when we get through with those, we will have some more come in.

JAMES BOWNS: Our first resolution is entitled States of the Public Rangelands, 1990, referring to the rangeland report that we were given yesterday.

The resolution reads:

Whereas: There is continuing criticism of livestock grazing on public rangelands from certain persons and organizations; and

Whereas: Unrealistic expectations regarding range condition have been created with the public by critics of range management on public lands; and

Whereas: There has been a need for public understanding and public support for realistic objectives and recognition of the improving trend in public rangeland condition; and

Whereas: The current improving trend in range condition, which is usually slow on arid lands, must be continued to support multiple use management.

Therefore: Be it resolved that the NPLAC urge the Director to distribute the report "State of the Public Rangelands, 1990" widely to the public and within the Bureau of Land Management; to promote the implementation of management on I Category allotments where a return will be realized on the public investment; to fully implement the BLM rangeland monitoring policy so that management success can be measured and demonstrated; and, to work with state wildlife

agencies to manage big game populations on public rangelands.

Be it Further Resolved: That the NPLAC supports a rangeland budget adequate to achieve the "Range of Our Vision" goals identified in the report.

We would also -- this is not part of the resolution -- but we would also request that the Director ask the Nature Conservancy and other conservation organizations with which BLM has cooperative agreements for assistance in the distribution of this report to the conservation community and its membership. We particularly emphasize the Nature Conservancy assistance in conjunction with the announcement of the recent cooperative agreement of BLM's partnership with the Nature Conservancy.

I move for adoption of the resolution.

(The motion was seconded and carried.)

DAVID DELCOUR: It carries.

JAMES BOWNS: Our next resolution is entitled Raptore Research and Technical Assistance Center.

Whereas: Birds of prey are an important part of our national wildlife heritage and Public Lands are critical for their conservation; and

Whereas: The Bureau of Land Management recognizes their significance in the "Fish and Wildlife 2000" plan and the "Raptor Habitat Management Under the U.S. Bureau of Land Management Multiple-Use Mandate" document, and

Whereas: Through the Bureau's leadership in cooperation with Boise State University (host institution), University of Idaho, Idaho State University, the Fish and Wildlife Service, Idaho Department of Fish and Game, and The Peregrine Fund, Inc. the Raptor Research and Technical Assistance Center was established to promote and facilitate cooperation and coordination of research, studies, inventories, and monitoring efforts involving raptor and raptor habitats.

Therefore, Be it Resolved: That the National Public Lands Advisory Council commends Director Jamison and the BLM for using their initiative and authority to join shared goals, expertise, and resources between the federal government, state government, universities and the private

sector to conserve and manage the birds of prey and their habitat, in addition to establishing an organizational blueprint which may be valuable for enhancing the Bureau's overall multiple-use program.

I move for adoption of this resolution.

(The motion was seconded and carried.)

DAVID DELCOUR: It carries unanimously.

Jim, do you have any thoughts with respect to our future format and so forth that you might like to report on to the full council?

JAMES BOWNS: Yes, we discussed this with our subcommittee and we have several points we would like to make. One is that we retain the three meetings per year. We feel that it is necessary that we have this continuity with the Bureau of Land Management.

Basically we have concensus that the field trips are worthwhile, but they should be issue oriented and not just tours that are enjoyable; but we think they are worthwhile.

We feel very strongly that we need more advance information and better interaction

with the Washington staff on issues. We would like to be informed more and we would like to have more input into the Washington office.

We feel that the meetings in the future should be issue driven rather than site driven, that we look at issues that we may be of greater assistance to the Director on critical issues that he faces.

Then it was suggested that we have a roster of future meetings of attending staff so we have a better idea of who the people are and what their positions are.

Those as the points that were brought up in our subcommittee meeting. Maybe some of the other members have further comments.

DAVID DELCOUR: Do other members care to elaborate on it?

DONALD BUTLER: Going back to the resolution on the public rangeland, that booklet that was put out, that paragraph you put in about cooperating with the Nature Conservancy, that will be part of the record and part of the directive to decide, as I understand it, because we felt, Cy, that because of your memorandum of agreement yesterday that they would be more than willing, hopefully, to

put it in their publication that this booklet is out and available. Then we could get wide distribution to people in the urban areas and the people that don't understand what is going on in the range. So that is what the intent was.

CY JAMISON: Yes.

PETER WOLD: I thought perhaps I would preface our resolution reading with what our committee's comments were as far as an effort to be more on the cutting edge of issues as they occur and as the Energy Committee will be dealing with them.

We have assigned various members on the committee to subjects that we feel are of critical importance within the industry and we will be communicating with Hillary.

Our members of the committee will be communicating with Hillary who is our liaison to this committee on issues that are of importance and particularly plugging issue, the mining law of 1872, reclamation and bonding, and resolutions as we feel should be brought up and discussed on an interim basis with the committee before our meeting, in this case in July.

We didn't discuss the idea of the

tours before the meeting, although I suspect that is something we feel is important as long as it is pertinent to what we are discussing.

I would open that up. If there are any other comments that other members of our committee might want to make at this time.

ROBERT LIST: I would simply add that I think it was a concensus and I am gathering that what you found, Mr. Chairman, in the other committees as well, that in order to have, to really be meaningfully involved in advising the Director and the department at these meetings, it is impossible to come in and have sort of a quick briefing on the high points of what has been going on and be able to get a thorough, well thought out position that reflects all that is going on.

One example, I think, that we talked about at some length was the 1872 mining law. There is so much going on in that arena on the Hill, within the industry, within the environmental community, that it is very difficult to come in and just, bang, based on a quick briefing and some observations among ourselves, to come up with anything that is very creative or thoughtful.

So our idea is that, for example, on

that one -- I happen to be the liaison that the committee has designated to work with Hillary and the department and make sure that on a continual basis significant events that take place in these various forums are brought to the attention of the committee. So when we come together, we somewhat are up to speed.

We identified essentially three areas we thought, for the time being, at least, we want to be kept current as events take place. That would not only enable us to better make decisions here, but it may be that as those events unfold, we will be able to provide to the Director support from industry or from sources in the way of testimony on the Hill; or, if not testimony, maybe lobbying activity with individual members of the committees or of Congress and again to play a role with more continuity instead of a hit-and-miss operation.

PETER WOLD: I will go ahead with these resolutions then.

CY JAMISON: Could I comment back? One thing we have to be very careful of is that we are prohibited by law from lobbying. We can disseminate information to our members, which is

about the same thing, and tell them what is really going on.

What do you want to do, Mr. Chairman? Do you want to discuss this right now or go on with the resolution or what?

DAVID DELCOUR: Let's go ahead and discuss it now.

CECIL MILLER: The items they discussed to bring before the Council, they would like the three meetings a year format. They like the meeting before the tour, the issues, what they are seeing and why they are seeing it, the general goals of the tour, they would like to have representatives of the issues on site and that does not necessarily mean where the tour is going to be. They want to hear all sides of the tour issue.

Another one is tours could be in the middle day of the meeting. That would allow for discussion and interchange of issues by Council members. Subcommittees can meet a day early to discuss or view specific issues specific to that committee.

Subcommittees could have individual tours. Members need to give more input into agenda items. BLM can send copies of their congressional

letters, their periodic alert or newsletters to the Council members to apprise Council members of upcoming issues well in advance.

They requested a roster of BLM resource people that are going to be in attendance at the meetings. Field trips can be more participatory. The Site Selection Committee, meetings should be issue driven and not site driven.

That is it, Mr. Chairman.

CY JAMISON: Well, first of all, I applaud the committee members. I planned, when I got up to speak, I was going to stir the pot and that was my intention. I just think that we need to become more productive. It bothers me because you sit here and listen too much. We are here to listen to you. You are the Advisory Council and we ought to be listening to you.

It was us presenting issue after issue after issue. I got to thinking is that the right way to run this ship? I don't think so. I think we could be much more productive if we'd take and really focus on an issue, one issue, maybe two at the most at a meeting and get some real meaningful input.

Also from a financial standpoint,

we could send just the staff that needs to be in on that issue and have the experts here.

Now, we have most of the hierarchy, the Bureau of Land Management out here from Washington. That is not the most productive thing for them, I think.

The same thing is, and I want to give you an example. I talked to Bill over here about it. Maybe the best way or one of them, we could focus on really how does the Bureau of Land Management go into its future programs and research? Maybe we ought to visit the Forest Service Research Center.

Maybe the same thing with Fish and Wildlife Service. They have a research program. Maybe we ought to look in detail at how some of the other agencies do it. I think that is really where citizen advisory could come in and be really meaningful because then we wouldn't end up with a research program in the future where we walked through all these steps and people were not in on the ground floor on a policy decision.

Same way on the mining law and bonding and reclamation. Maybe that cart is a little way down the road. But I think that is a way we can

loop the Council back in to have some real meaningful input rather than us coming in here and saying, okay, here is what we presented to the field.

Most of the time we have to write a resolution saying now we support it.

That is not real meaningful. So that is kind of what I was trying to get the thing focused back around down into what we really want to try to do in the future.

So what I would propose is that we still have a little pow-wow probably in April, see some of the issues. Maybe I can put them together and we will meet with the chairman and really get them more on an issue focused orientation for starting our November meeting. I think this Council has talent on it galore. We need to use it.

I want to make being a member of this Council have stature and stature with members on the Hill and stature within the Department.

When Bob List or Ev Shuey or Peter Wold or Cal Black can call their senator, "We talked this over with the Council. We really walked it through the system and we need your help on this."

When you meet with the Secretary, you say, "Mr. Secretary, the Bureau of Land Management

is all wet or isn't all wet because we have really looked at this," and that is meaningful.

To be honest with you I could write your resolutions in Washington. We wouldn't have to hold this meeting because I know about how they are going to come out. I know you. That is because we feed you the information and what goes in usually comes out the other end. I don't think that is a good way to run the ship.

I don't have any problem with two meetings a year. I just threw that out to get you guys' attention. I don't have a problem with field trips. I don't have any problems, but I just wanted this meeting to be a meaningful exercise. I have a thick skin. I can take your comments.

BUD PURDY: One of the things we discussed was when we come to a place like Tucson, maybe we ought to try to get a few more comments from the local people. Now, I know you can't help the comment; but we wonder does the information get out so there are enough people notified? I suppose they are, but Don says we did have a lot more comments in other meetings before my time. We were kind of wondering. Of course, you get a lot of comment when there is a big issue involved.

CY JAMISON: I have been involved where we have had to go out and roust them out to get them to testify. I just don't think we have to do that.

I think if we have the issue there where they see it is developing from the ground up, you may have to stand in line to get in. You are kind of behind the eight ball now.

BUD PURDY: Just try to make the Craters of the Moon into a national park and you will get a lot of people in Idaho.

CY JAMISON: Until we get probably refocused on what the issue is and they realize it is going to be developed from the ground up, most people say it is kind of cut and dried and I don't want to waste my time.

I am being honest with you. Anybody else?

SHERI GRIFFITH: I think that is the difference in what we have been saying around here as being proactive or reactive. The deal is already done and there is nobody to talk to.

What we need to do is solicit things that are on the front burner, not on the back burner or already done and cast. I think that is the most

valuable use of us is to be proactive rather than reactive with you meaning when it is already done.

A good example was the byways. We did talk about it, but it is basically a done deal. Everybody is hearing about it. We have heard about it for two past meetings, but we didn't take any action on it. We're not in a position to give you any input. So I do think we need to get ahead of the curve.

CY JAMISON: It comes down to issues that we feel are going to bubble up over a year's period or more. We will let you know, really, what is going on on the LIS so we can go to the next step which is going to be maybe three years from now. There is a whole host of those. I think we can put enough on your platter to keep you busy.

WILLIAM BURNHAM: I think it is really important that you provide the direction as to what the issues are that are coming down the pike.

Also when Advisory Council members see issues coming down the pike, they can bring that to your attention and ask you to focus on something.

I think the significance of this Council and possibly the participation of the public and providing testimony and such to a large degree

depends on how much you and the BLM listen to the recommendations of the committee because if you have a blue ribbon panel that is here as sort of a flower on the table to support what you are already saying, the public recognizes that.

What you have to have is the Bureau of Land Management and the Secretary of the Interior sincerely listening to the recommendations of this committee. It is serving an important function. I think that the populace in general will recognize this especially if it is presented in such a manner by yourselves.

Again, it is sort of a two-way street. You have also got to be willing to serve your part in this to make it significant.

CY JAMISON: That is right. I want to do that because I think it is a valuable tool. I want your time to be meaningful and not sit here like a bunch of wallflowers. Most you folks, I know you personally. I would be wasting your time and mine, too. I am very blunt about it. I pull no punches.

DAVID DELCOUR: One thing I picked up in a number of conversations in the last twenty-four hours that I didn't hear mentioned in any of the subcommittee reports, I had the sense that there

was a lot of feeling on the Council that we need to explore ways to develop some informal advice channels. The meetings are well and good and necessary, but certain types of advice might be better solicited in a less formal setting.

While I haven't heard any magic formula for doing that, I think it is something you may want to think about, a skeleton we might want to put flesh on.

CY JAMISON: You're not required by act to file resolutions, are we? I wouldn't even mind if we just had some brief committee one-page committee reports, to be honest with you, because by the time you get through all the whereases, you are probably half asleep and forgot what you were talking about.

BUD PURDY: I think it is very necessary that we get a report back from you.

CY JAMISON: I don't have a problem with that.

MAITLAND SHARPE: I think your challenge was pointed and timely and your suggestions are well taken. It seems to me that if the Council is going to provide more actual advice at a timely point in the process, the Council is going to have

to have more time to talk and perhaps, as you suggest, less time engaged in the ritual activity of writing out whereases and just schedule more time to talk in general session, among ourselves, and perhaps to talk about larger issues and more basic issues than some of those raised by the resolutions in the subcommittees.

So I think that I am suggesting that the format of the meetings needs to be re-examined and more time made available. I think, for instance, the business of actually reading through the whereases from the previous meetings, excuse me, the resolve clauses from the resolutions and the BLM response in its entirety could be profitably waived in favor of some brief discussions. We have all read it or should have.

That is the sort of thing that might help open up the format a little bit.

CY JAMISON: Folks, I am not worried if you disagree with me. That is helpful. If we come in here and I push one thing and you happen to disagree with it, that is fine. It doesn't bother me a bit. That is the way the American system works and I don't want to whitewash things. I want something that gets it out.

I agree, Maitland. I don't think we in BLM ought to steer you too much. Mr. Chairman, I really appreciate it and I apologize if I raised anybody's heart level by doing this at the beginning of the meeting; but the more I thought about it on the way out here on the plane, I thought, well, damn, it is time to do it. This is the first time our new members are on board so we might as well switch to the Bush Administration a little bit and we are not going too far off the traditional path.

Good seeing you all. Wonderful job. Thank you.

ROBERT LIST: Before you leave this subject matter, one of the recommendations of our committee was that at the next meeting there ought to be a presentation for topics on the agenda dealing with the reclamation and bonding issue.

Now, maybe that is too much of a microissue.

CY JAMISON: I don't happen to think so. I think it is critical to the hard rock industry and it is time that this Council understood it and addressed it.

ROBERT LIST: You are dealing with litigation, all kinds of features.

CY JAMISON: To follow up on that, we may be forced into doing a nationwide Environmental Impact Statement, two or three million dollars. Are we going to try to Band-Aid and bailing wire it or are we going to make a major change or what are we going to do? It is very critical. It is right down to a dollar thing. We want to get some good input from you folks.

ROBERT LIST: Insofar as the format of a meeting, we should put it on the agenda. It is my thought that we ought to have a thorough update in advance of the literature and the materials and then at the hearing or the meeting that we actually have, you know, a full perspective. Maybe we do get all of that from your people. Maybe we ask someone from one of the congressional committees. Maybe we ask somebody from the private sector or maybe we ask somebody from the environmental community. I don't know. But we need to get the full picture in order to make informed judgments as to what advice we give you.

CY JAMISON: I hear you.

DAVID DELCOUR: Peter?

PETER WOLD: Mr. Chairman, let's start with the Annual Assessment Work and Fiscal

Year 1991 Budget Related Amendment to the Mining Law of 1872.

Whereas: The domestic minerals industry is heavily dependent upon public lands as a source of new mineral resources; and

Whereas: The Mining Law of 1872, as amended, has served the country's needs by providing access to public lands and Federally owned mineral resources for a stable source of minerals for over 118 years; and

Whereas: Annual assessment work is a fundamental, not incidental part of the general mining law; and

Whereas: The acquisition of geologic knowledge is a continuous effort, not a one time event that ceases with discovery, and reappraisal is needed as technology and market conditions change and the annual assessment work program continues to evolve information about the mineral reserves; and

Whereas: Contrary to assertion, and under BLM and Forest Service required notices and plans of operation, most assessment work programs have insignificant environmental impacts; and

Whereas: Annual assessment work

has secondary economic benefits of many millions of dollars that would be forgone under an annual $100 holding fee program; and

Whereas: The President's proposed budget for Fiscal Year 1991 proposes to modify the Mining Law of 1872, as mended, by replacing the annual assessment work requirement with a $100 per year holding fee; and

Whereas: The use of budget or appropriations act language to modify a substantive piece of legislation such as the Mining Law of 1872, as amended, virtually eliminates the ability of the Congress and the public to engage in a proper policy debate on an issue.

Therefore, Be it Resolved: That the National Public Lands Advisory Council believes this provision of the proposed 1991 Budget to be ill-advised and requests the Secretary of Interior to make the Council's views known to the Congress and urges the Secretary to request the Congress to reject this proposed change.

I would move adoption of this resolution.

(The motion was seconded and carried.)

DAVID DELCOUR: Adopted.

PETER WOLD: Our second resolution that we will deal with is the BLM Oil and Gas Inspection and Enforcement Program.

Whereas: The Bureau of Land Management (BLM) oil and gas inspection and enforcement (I&E) program has been the focus of the following:

1) hearings and a report by the Senate Select Committee on Indian Affairs;
2) of an audit report by the U.S. Department of Interior Office of the Inspector General;
3) of a review and report by the U.S. General Accounting Office; and
4) of a comprehensive internal program by BLM; and

Whereas: Such hearings, audits, reviews and reports contained many allegations, primarily that BLM had inadequate procedures in place to detect, report, and investigate theft of il and gas; that BLM's current inspection and enforcement program did not provide for adequate production verification and environmental compliance; and that there was a lack of BLM Washington Office

guidance, oversight and management control to assure that the I&E program was carried out properly and consistently in all of its field offices; and

Whereas: BLM, as a result of the preliminary findings from the hearings and reports and its own internal program review, has taken and plans to take additional specific initiatives to strengthen the I&E program and improve service to the Indians; and

Whereas: The major initiative taken by BLM is the revision of its nationwide inspection strategy that emphasizes a better balance of environmental protection, public health and safety while also ensuring more effective verification of Federal and Indian oil and gas production within the constraints of its present personnel and funding; and

Whereas: The Senate Select Committee's final report released in November, 1989, made recommendations to improve service to the Indian, including transferring the I&E program for Indian lands from BLM to the Minerals Management Service; and

Whereas: Some of the legislative

recommendations made by the Senate Select Committee will, and some of the proposed regulation changes by BLM may, place onerous, duplicative, and unnecessary burdens on the oil and gas industry; and

Whereas: Such burdens may result in decreased domestic exploration and production increasing our Nation's dependence on foreign sources of oil thereby threatening our national security.

Therefore, Be it Resolved: That the National Public Lands Advisory Council commends the BLM for the decisive actions it has taken, initiatives it is currently implementing, and plans to take in the future to substantially strengthen the I&E program to improve BLM's effectiveness in assuring accurate production accountability, protection of the environment and public health and safety, and service to the Indian tribes and allottees; and

Be it Further Resolved: That the Council recommends to the Secretary of Interior in view of the positive actions BLM is taking to strengthen the I&E program, the integral part the I&E program plays in the overall oil and gas

operations program and in the multiple use management of the public lands, and the efficiencies realized by oil and gas industry and the public in having to deal with only one bureau in land use and oil and gas operational issues, that the I&E function remain with BLM; and

Be it Further Resolved: That the BLM, in its proposed revision of any rule or regulation, ensure that the public and the oil and gas industry is sufficiently advised and involved so as to ensure that any changes made are proper, practical, and do not place any unnecessary and administratively burdensome requirements on the oil and gas industry or on BLM; and

Be it Further Resolved: That all the initiatives taken and planned by BLM to strengthen the I&E program be reviewed from a budget standpoint to ensure that there will be sufficient funding and personnel to carry out the initiatives in an adequate and realistic manner.

I move adoption.

(The motion was seconded and carried.)

DAVID DELCOUR: That is carried.

PETER WOLD: Our third and last

resolution is Retention of Inactive Wells for Enhanced Recovery of Oil and Gas.

Whereas: The Department of Interior, Office of Inspector General (OIG) released an audit report in November, 1989 which included the statement: "The potential cost to plug all 22,520 wells listed in a shut-in or temporarily avandoned status in the Bureau-wide well inventory is in excess of $300 million, an amount for which the government may also be partially liable,"' and

Whereas: The BLM, in response to the OIG's report, is developing a workplan which should result in a statistically reliable estimate of the number of wells which BLM may have to plug because the wells have no further economic value; and

Whereas: The Department of Energy has determined that premature abandonment of oil and gas wells is the single greatest threat to the implementation of the proposed National Energy Strategy; and

Whereas: In response to concern about possible loss of recoverable oil and gas resources, the BLM has had in place since 1986, a policy of granting suspensions of producing

requirements for marginal stripper wells thereby preserving access to these well bores for use in enhanced oil recovery programs.

Therefore, Be it Resolved: That the National Public Lands Advisory Council supports BLM's proposed plan to determine a realstic estimate of the potential liability due to unplugged wells and encourages the BLM to work closely with the oil and gas industry in making such determination; and

Be it Further Resolved: That the National Public Lands Advisory Council believes that BLM's policy of allowing suspension of producing requirements for marginal stripper wells is in the Nation's best interest because plugging of said wells could result in possible loss of recoverable oil and gas reserves.

I move adoption with the note that the last line where it says "wells could result", that should read "wells will result."

WILLIAM BURNHAM: I just had a question in regards to the Public Health and Safety concern in regards to possible ground water contamination, other liabilities associated with this.

I wondered if this resolution adequately addressed that. That would seem to be significant.

PETER WOLD: Mr. Chairman, that was a discussion that we had in our meeting. The BLM has a program in place where they periodically test wells for their integrity, i.e., making sure that the casings don't have leaks, that the perforations are where they are supposed to be sealed off. I think that is addressed on a regular basis by the BLM with their testing program that they require the industry to do.

WILLIAM BURNHAM: A further point of clarification in regard to this testing, just out of ignorance. How often does it occur? Does anyone have an idea?

PETER WOLD: I am not sure. Perhaps Hillary can tell us what the guidelines are. I know from practical experience that in our operations we are asked to test wells that are shut-in on a basis of every two to three years.

HILLARY: Presently across the country we don't have a system of how often. We are working on it and it will be out for public and industry review and comment very soon. That

will set forth the requirements for allowing a well to remain inactive and showing justification from the operator before we approve it to remain that way that we do have integrity in the casing, that you don't have a possibility of contamination and then a requirement for a pressure test to ensure that the mechanical integrity of the casing is still in place. I think the proposal was every three years in the last draft I saw.

MARK MURPHY: Bill, I think a lot of your concern is also addressed most adequately in the prior resolution in inspection and enforcement. The resolution that we are currently looking at is to stem the tide of growing well abandonments which shuts off access to future oil and gas reserves and tertiary recovery programs.

That study may result in changes in the bonding, it may result in new methods or agreed methods that would be acceptable plugging methods.

To ensure there is not an ongoing contamination, the inspection enforcement program which is in place being supplemented by the work that Hillary is talking about will be available for comment. That policy is being made.

From a practical standpoint we generally are allowed to shut in wells, and the testing program is generally on, some areas where there seems to be casing failures due to some sort of corrosion, formation corrosion working on the casings from the outside, and on a statistical basis that appears to be a problem in a certain area. The local district offices target those wells for more rigid testing than areas where there doesn't seem to be a problem.

MAITLAND SHARPE: Mr. Chairman, I do not wish to have to vote against this resolution, but I do share the concerns that I think were expressed by Bill or behind his question. In terms of future reference I would like to say that I would be vastly more comfortable with this sort of resolution if it recognized that what we face here is a matter of balancing conflicting needs of public policy.

There is an important, vital public interest in protecting public health and the integrity of the ground water. I am sure that is recognized by all of us.

There is also an important national interest in protecting energy supplies and energy

security and that is also being addressed here.

I think that we would provide better advice to the Director and the Secretary and certainly make ourselves more credible to all the interests that look to the public lands if we tried to frame these resolutions in somewhat more balanced fashion, at least recognizing these conflicts, recognizing the need for balancing the needs within the resolutions.

In this case, perhaps urging that this general policy advocated here be followed but in such a fashion or with the understanding that it would be adequate to protect that kind of public interest, in protecting ground water integrity.

I think that under the time constraints that we are operating under, it is probably too late to go back and patch up this resolution. But in terms of future resolutions or statements to the Director, I think that we do try to recognize balancing situations as they occur.

ROBERT LIST: As a member of the committee I raised the same issues. We talked about them at some length. I do think they have to be balanced. I think that Mark is right when

he says you need to look at this resolution in conjunction with the other one that commends the Bureau for its aggressive enforcement program and urges proper funding for it. I think, taken together, the two of them do have some balance inherently there. At least for the purposes of today I would encourage the adoption of both resolutions.

BUD PURDY: I am a little ignorant. What do you do now? Is it capped in some way or other?

MARK MURPHY: Generally the well is shut in for a period of time that is prescribed by the local district office. If it either needs to be returned back to production for the mechanical integrity of the casing, it is tested.

I think that when you look at ground water contamination issues, for example, you need to realize that there is not just one level of ground level protection measures. There are several levels, and in most instances several strings of casings. Most ground water will in this country, and certainly in the west, the depth and quantity and quality are well known. The shallow casing program is designed as the last safety

feature and that means that the contaminant would have to pass through several others.

Now, to answer your question more directly, if the well is not returned to production, then the local BLM office directs that the casing be tested under guidelines prescribed for the type of casing in the area and that type of thing.

If it is not tested, if it does not test adequately, it either needs to be repaired or the well has to be plugged.

BUD PURDY: How do you go about plugging it?

MARK MURPHY: Generally what you do is you set plugs just above the perforations where the oil and gas is coming out of and then every, usually one per thousand feet. But, once again, those specific guidelines are set by the local requirements. Cement plugs are approximately fifty feet and one hundred feet, something along that order, approximately every thousand, 1,500 feet and then a cement plug.

I would like to say that what the resolution is really addressing is that the Office of Inspector General came up with a number that

many people in the industry believed to be unrealistic as to potential liability. The BLM has recognized that and they are pursuing a realistic estimate of potential liability. The resolution addresses that specifically.

Before we talk about additional measures, I think that we have to know the extent of the liability and how big the problem is.

BUD PURDY: What would they be liable for?

MARK MURPHY: For possibly plugging wells themselves.

BUD PURDY: What would be the liability?

MARK MURPHY: Well, the costs associated with the plug. Now, once again, there is also financial safety factors and the operators have financial bonds. There is concern that possibly some of these bonds might be attacked in some way.

BLM has very stringent regulations about bonding requirements for oil and gas operators. One property cannot be transferred to another property, to another owner, without BLM satisfying itself that the next owner has proper

bonding.

CECIL MILLER: Alaska Land Use Council - Reauthorized.

Whereas: The Alaska Land Use Council (ALUC), consisting of state, federal, and native representatives was established by ANILCA to coordinate management of Alaska Lands during a complex period of development of management plans, land exchanges, and selections of public domain land by the State of Alaska and Native Corporations.

Whereas: Selections and exchanges are still being made, the State and Native Corporations have not received their land entitlements, and management plans are still being developed.

Whereas: The ALUC has been effective in its coordination and resolution of complex issues.

Whereas: ALUC is slated to go out of existence in December 1990.

Therefore: Be it resolved Council requests that the Director of BLM recommend the reauthorization of the ALUC through December, 1998, with such modifications necessary for its greater

usefulness.

I move.

(The motion was seconded and carried.)

WILLIAM BURNHAM: It might really be helpful in the future if we had a little more background. This is sort of cold coming right out of the committee. I don't know how the other members feel; but personally I am quite unfamiliar with this issue, whether it is good, bad or indifferent. I have no idea. Coming cold right out of committee it is difficult to vote yea or nay.

CHARLES HAWLEY: Mr. Chairman, I think that same issue has come up several times already in this discussion, that we meet in subcommittees and we adopt resolutions. If we are going to change our procedures so that we have a little bit more time for discussion, maybe these things should be brought out to the committee so that discussions can take place so that we don't get into the kind of discussion that we are into right now.

SHERI GRIFFITH: Maybe we should reconsider the amount of time we allot to these

and actually have a summary because I feel the same on the oil and gas issues that we just spoke about. Maybe we should allot more time where we could get a summary before we are asked to vote on it. I'd be more comfortable with that.

WILLIAM BURNHAM: Yes, some kind of information to base a judgment on, some type of background.

CECIL MILLER: The next resolution is Infrastructure-Corridors. We are going to withdraw that for consideration.

Alaska Lands Conveyance Program.

Whereas: The Alaska Native Claims Settlement Act (ANCSA) granted to Alaska Natives 44 million acres of land in settlement to all aboriginal land claims in Alaska.

Whereas: The Congress of the United States granted at the time of Alaska Statehood 104 million acres of land to the new State of Alaska, and, in the Alaska National Interest Conservation Act (ANILCA), extended Alaska's selection period until 1994.

Whereas: The Bureau of Land Management (BLM) has been assigned by Congress to convey land to the State and Natives.

Whereas: The BLM conveys land on the priorities established in consultation with the State and Native corporations.

Whereas: The public (federal) land base in Alaska is also not certainly known until conveyance is completed.

Whereas: Prompt and orderly completion of the conveyance program will facilitate economic development, sound planning and environmental protection of all Alaska lands, and will allow completion of the State of Alaska selections by the congressionally mandated 1994.

Whereas: Some Native Corporations have made substantial selection over what they are entitled to receive and have not given the BLM priorities for conveyance of these selected lands.

Whereas: An orderly and efficient land conveyance program must receive Native Corporation priorities and Congressional and delegated appropriations until the program is complete.

Therefore Be it Resolved: That the Director of the BLM encourage, and, if necessary, promulgate regulations to require

Native Corporations to provide their priorities for conveyance to the BLM and release excess selections.

Be it Further Resolved: Secretary and Congress direct the necessary funds (indexed for inflation) to keep a sustained and even conveyance program until it is completed.

Be it Further Resolved: That the BLM, as lands are released from our selection, immediately begin necessary planning so that these lands may be considered for a full range of multi-use activities on the public lands.

I move this resolution be adopted.

(The motion was seconded and carried.)

CECIL MILLER: Our last resolution is the Land Exchange Resolution.

Whereas: The BLM is responsible for managing an extremely complex and intermingled land pattern;

Whereas: BLM has a need to block up certain lands, and to dispose of other lands that are difficult and costly to manage;

Whereas: Communities are many times restricted from development and expansion

as a result of BLM's land pattern;

Whereas: The BLM in Arizona has a successful State and private land exchange program which has resulted in the repositioning of more than 2.5 million acres in the past 6 years;

Whereas: Such exchange program has made it possible to place lands with high resource values in public ownership, such as the San Pedro Riparian National Conservation Area and the Empire-Cienega Resource Conservation Area;

Whereas: Such exchange program has provided developable lands for cities to enhance their opportunities to expand as population demands occur;

Whereas: The exchange program has generated a climate of cooperation and trust between BLM and the State of Arizona;

Therefore Be it Resolved: That the Director encourage all states to implement an effective exchange program reflecting the lessons and experience of Arizona, but adapting this Arizona model to serve the particular needs of each state.

Mr. Chairman, I move the adoption.

(The motion was seconded and carried.)

CHARLES HAWLEY: Before we leave the lands and infrastructure-corridor proposal, I think that should be tabled until the next meeting.

DAVID DELCOUR: I think under our procedures by tabling it, that is exactly what happens. You agree to repropose the resolution at your next meeting.

CHARLES HAWLEY: There has been a request for more time to gather more information on the resolution.

(Whereupon, Mr. Delcour thanked BLM officials and the Advisory Council members and adjourned the meeting.)

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